



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P.Nos.5960 to 5970, 5997 to 6019, 6249 to 6259 of 2015 and
28478 to 28480, 28949 to 28952 of 2014 and
M.P.Nos.1 of 2015 and 1 of 2014 etc., batch cases

M.Jayanthi	... Petitioner in WP No.5960 of 2015
R.SARAVANADOSS	... PETITIONER in WP No.5961 of 2015
E.NAGARAJAN	... PETITIONER in WP No.5962 of 2015
K.PARANTHAMAN	... PETITIONER in WP No.5963 of 2015
M.SANKAR	... PETITIONER in WP No.5964 of 2015
M.KAMARAJ	... PETITIONER in WP No.5965 of 2015
S.MANOCHARAN	... PETITIONER in WP No.5966 of 2015
R.BALAMURUGAN	... PETITIONER in WP No.5967 of 2015
R.SUNDARAM	... PETITIONER in WP No.5968 of 2015
N.RAVI	... PETITIONER in WP No.5969 of 2015
M.VIJAYAKUMAR	... PETITIONER in WP No.5970 of 2015
P.PACHYAIYAPPAN	... PETITIONER in WP No.5997 of 2015
L.LURTHUSAMY	... PETITIONER in WP No.5998 of 2015
J.JAYALAKSHMI	... PETITIONER in WP No.5999 of 2015
S.SOMASUNDARAM	... PETITIONER in WP No.6000 of 2015
E.MAGIMAIDOSS	... PETITIONER in WP No.6001 of 2015
S.RAVI	... PETITIONER in WP No.6002 of 2015
M.DEENADHAYALAN	... PETITIONER in WP No.6003 of 2015
R.MANJAMATHA	... PETITIONER in WP No.6004 of 2015



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A.SANGEETHA

... PETITIONER in WP No.6005 of 2015

P.RAVICHANDRAN

... PETITIONER in WP No.6006 of 2015

T.MURUGANTHAM

... PETITIONER in WP No.6007 of 2015

N.LAKSHMIPATHI

... PETITIONER in WP No.6008 of 2015

A.JEYASRI

... PETITIONER in WP No.6009 of 2015

K.PALANIVEL

... PETITIONER in WP No.6010 of 2015

M.JAYANTHI

... PETITIONER in WP No.6011 of 2015

N.RAJESHWARI

... PETITIONER in WP No.6012 of 2015

T.SAKTHIVEL

... PETITIONER in WP No.6013 of 2015

S.VARADARAJAN

... PETITIONER in WP No.6014 of 2015

S.SUBBURAYAN

... PETITIONER in WP No.6015 of 2015

R.CHITHRA

... PETITIONER in WP No.6016 of 2015

K.PUSHPARAJ

... PETITIONER in WP No.6017 of 2015

A.JAISHANKAR

... PETITIONER in WP No.6018 of 2015

S.RAJASEKARAN

... PETITIONER in WP No.6019 of 2015

D.MUTHUKUMARAN

... PETITIONER in WP No.6249 of 2015

P.SURESHKANNA

... PETITIONER in WP No.6250 of 2015

K.SHANMUGAM

... PETITIONER in WP No.6251 of 2015

S.PALANIYAMMAL

... PETITIONER in WP No.6252 of 2015

R.SELVARAJ

... PETITIONER in WP No.6253 of 2015

C.GAJENDRAN

... PETITIONER in WP No.6254 of 2015

D.CHACKARAVARTHY

... PETITIONER in WP No.6255 of 2015

R.MOHAN

... PETITIONER in WP No.6256 of 2015

M.VENKATESAN

... PETITIONER in WP No.6257 of 2015

P.JOHNSON

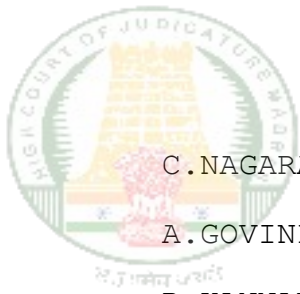
... PETITIONER in WP No.6258 of 2015

S.GUNASEKAR

.. PETITIONER in WP No.6259 of 2015

M.MARISAMY

... PETITIONER in WP No.28478 of 2014



WEB COPY

C.NAGARAJAN ... PETITIONER in WP No.28479 of 2014
A.GOVINDARAJAN ... PETITIONER in WP No.28480 of 2014
R.KANNAN ... PETITIONER in WP No.28949 of 2014
R.PALANIAPPAN S/O.RAJU ... PETITIONER in WP No.28950 of 2014
G.RAMAKRISHNAN ... PETITIONER in WP No.28951 of 2014
P.RAJENDRAN ... PETITIONER in WP No.28952 of 2014

Vs.

1.The District Educational Officer,
Cuddalore, Cuddalore District.

2.The Chief Educational Officer,
Cuddalore, Cuddalore District.

... Respondents in WP.NOs.5960 to
5964/15,5966 to 5967/15,5969/15, 5997,
6000,60001,6003,60005,6006,6009,6010,6
011,6012,6014,6015,6016,6017,6018,6249
,6250,6251,6252,6255,6257,6258 of 2015

1.The District Educational Officer,
office at Virudhachalam Educational Department,
Virudhachalam,Cuddalore District.

2.The Chief Educational Officer,
Cuddalore, Cuddalore District.

.. Respondents in WP.NOs.5965/2015,
5968/15,5970 of 2015,5998, 5999,6002,
6004,6007,6008,6013,6019,6253,6254,625
6,6259/15

1.The District Educational Officer,
Dharmapuri,Dharmapuri District.

.. Respondents in WP.NOs.28478/14 to 28480/14

2.The District Educational Officer,
Sangagiri Educational Department,
Sangagiri,Salem District.

.. Respondents in WP.28949 to 28952/14

Common Prayer in all WPs.:- Writ Petitions filed under
Article 226 of the Constitution of India praying to issue a
Writ of Mandamus, directing the respondents to post/appoint
the petitioner to the post of Lab Assistant/Lab Attainder
within the time stipulated by this Court.

For Petitioner
(in all Wps)

: Ms.R. Soundari



For Petitioner : T.S.Baskaran
in WP.28478 of 2014 to
28480,28949,28952 of 2014

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For Respondents : Mrs.P. Kavitha
(in all WPs) Government Advocate

C O M M O N O R D E R

These writ petitions have been filed by the petitioners seeking for a direction to the respondents to appoint the petitioners to the post of Office Assistant/Watchman/Sweeper/Lab Assistant/Lab Attender within the time stipulated by this Court.

2. The learned counsel for the petitioner submitted that without considering the eligible and available service candidates including the petitioner, the respondents called upon the names from the District Employment Exchange, Cuddalore, to fill up all available vacancies and the same was also published in the newspapers by the Employment Exchange on 11.10.2014.

3. According to the petitioners, they have already served in the respondent/Department as Office Assistant/Watchman/Sweeper/Lab Assistant/Lab Attender. Therefore, the names of the petitioners have to be considered for promotion to the post of Lab Assistant in the available vacancies. Hence, the writ petitioners sought for the prayer to appoint them to the post of Lab Assistant or Lab Attender.

4. Today, when the matter is taken up for hearing, counter affidavit has been filed by the respondents. On instructions, the learned Government Advocate appearing for the respondents submitted before this Court that by letter in Na.Ka.No.5372/A3/2014, dated 07.02.2020, by the Chief Educational Officer, Cuddalore District, addressed to the Special Government Pleader, wherein the Government Department has notified that 4393 posts of the Lab Assistants as per the Government Order in G.O.(Ms).No.88, School Education Department, dated 24.06.2014 and in the aforesaid notification issued 166 posts have been allotted to the Cuddalore District.

5. The learned Government Advocate appearing for the respondents submitted that the aforesaid posts have been filled up by conducting the competitive test and also issuing the Notification through Advertisement in Na.Ka.No.2770/A1/2015, dated 22.04.2015. Subsequently, 840 candidates were called for certificate verification and 163 candidates were selected out of total 166 vacancies. The



learned Government Advocate further submitted that the aforesaid posts have been filled up through direct recruitment and not by way of promotion and the relief sought for by the petitioners seeking promotion for the post of Lab Assistant cannot be granted.

6. In view of the aforesaid statement of the respondents, there is no merit in these writ petitions and the writ petitioners have challenged the subsequent action of the Government in filling up the posts by direct recruitment. On the aforesaid reasons, this Court could not entertain the writ petitions. Accordingly, these writ petitions stand dismissed as having become infructuous. No order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msm

To

- 1.The District Educational Officer,
Cuddalore, Cuddalore District.
- 2.The Chief Educational Officer,
Cuddalore, Cuddalore District.
- 3.The District Educational Officer,
office at Virudhachalam Educational Department,
Virudhachalam,Cuddalore District.
- 4.The District Educational Officer,
Dharmapuri,Dharamapuri District.
- 5.The District Educational Officer,
Sangagiri Educational Department,
Sangagiri,Salem District.

+2ccs to Mr.T.S.Baskaran, Advocate SR.No. 10150,10151

W.P.Nos.5960 to 5970, 5997 to 6019, 6249 to 6259 of 2015 and
28478 to 28480, 28949 to 28952 of 2014 and
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A.SK(04/08/2020)