

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.11518 of 2020
and W.M.P.Nos.14076 and 14074 of 2020

- 1.K.V.Babu
- 2.B.Annaiah
- 3.G.Bhoovaraha Moorthy
- 4.K.Balamurugan
- 5.B.V.Govindappa
- 6.E.Govarthanan
- 7.K.Lakshminarayana
- 8.G.Indira
- 9.M.Jayaraj
- 10.R.Karthik
- 11.N.Kumaran
- 12.K.Munirajsekar
- 13.R.Muralikrishnan
- 14.J.Mary Josephine
- 15.B.Pushparani
- 16.G.Ravichandran
- 17.D.Renukadevi
- 18.S.Ramamoorthy
- 19.M.Sekar
- 20.P.Sivakumar
- 21.M.Sri Velliangiri
- 22.B.Savithiri
- 23.E.Sadhu Sundar Singh
- 24.M.Thangavel
- 25.K.Udayakumaran
- 26.V.Sathishkumar
- 27.A.Arumugam
- 28.B.Subramani
- 29.S.Kamalakannan

.. Petitioners

-vs-

1.The State of Tamil Nadu,
Rep. by Principal Secretary to Govt.,
School Education (W1) Department,
Secretariat, Chennai 600 009.

2.The Commissioner,
School Education Department,
DPI Complex, College Road,
Chennai 600 006.

3.The Director,
School Education Department,
DPI Complex, College Road,
Chennai 600 006.

4.The Director
Elementary Education Department,
DPI Complex, College Road,
Chennai 600 006.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration to declare that the Rule 2(a) IV (1) and Rule 2(c) Rule 2 (d) (iii) of Section 8A of the Tamil Nadu Educational Service Rules issued by the First Respondent Relating to the appointment to the post of District Educational Officer as illegal and ultra vires to the Constitution of India and consequently direct the Respondents herein to consider the claim of the petitioners for appropriate steps to provide Block Educational Officers as a feeder category for appointment by promotion to the post of District Educational Officer in the Tamil Nadu School Education Service on the basis of drawing a combined seniority list of the Headmasters of High School and Higher Secondary Schools by reckoning the seniority of Block Educational Officer from the date of this initial appointment & Block Educational officer or as Assistant Elementary Educational Officer whichever is earlier or by providing a separate ration for the distinct category of Block Educational Officers for appointment by transfer as District Educational Officer and to desist from drawing a panel for promotion to the post of District Educational Officer for the year 2019-20 till such orders.

For Petitioners : Mr.M.Ravi

For Respondents : Mr.C.Munusamy
Spl. G.P. (Edn.)

ORDER

(Order of the Court was passed by The Hon'ble Chief Justice)

Heard Mr.M.Ravi, learned counsel for the petitioners and Mr.C.Munusamy, learned Special Government Pleader for the respondents, who has vehemently opposed the petition.

2.The contention raised is that the petitioners who are Block Educational Officers do not have any promotional avenues to the post of District Educational Officers and to the contrary, the Head Masters of High Schools who are drawing a similar basic scale are being extended the benefit of promotional avenues without any proportional representation to the petitioners. The contention is that this violates Article 14 of the Constitution of India and even otherwise, administratively the petitioners are performing far more administrative functions as compared to High School Headmasters and therefore, their rights to be considered for promotion on the post of District Educational Officer stands on a better pedestal than the Block Educational Officers. Other issues have also been indicated in the writ petition, but after the matter was heard, Sri.Ravi, learned counsel for the petitioners, prayed that the petitioners may be permitted to withdraw the writ petition and pursue their remedy by way of a representation before the State Government for redressal of such grievances claiming promotional avenues or any other such benefits as prayed for in the writ petition.

3.We grant the liberty as prayed for by the petitioners and permit withdrawal of the writ petition, so that they can move their representation to be considered appropriately by the State Government.

The Writ Petition is, accordingly, dismissed as withdrawn, with the liberty aforesaid. No costs. Consequently, W.M.P.Nos.14076 and 14074 of 2020 are also dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To

1.The State of Tamil Nadu,
Rep. by Principal Secretary to Govt.,
School Education (W1) Department,
Secretariat, Chennai 600 009.

2.The Commissioner,
School Education Department,
DPI Complex, College Road,
Chennai 600 006.

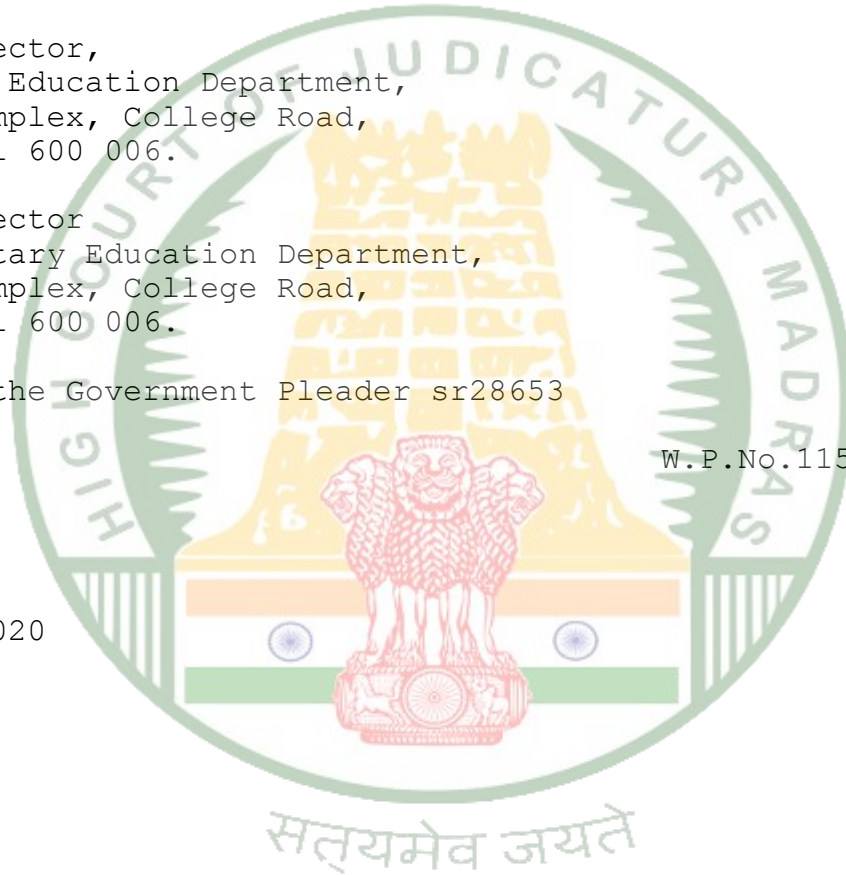
3.The Director,
School Education Department,
DPI Complex, College Road,
Chennai 600 006.

4.The Director
Elementary Education Department,
DPI Complex, College Road,
Chennai 600 006.

+1 cc to the Government Pleader sr28653

W.P.No.11518 of 2020

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