



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.8278 of 2020

WEB COPY

K.Maruthamuthu

...Petitioner

-Vs-

1.The Director of School Education,
College Road,
Chennai-600 009.

2.The District Education Officer,
Karur District,
Karur.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant notional promotions to the post of Record Clerk with effect from 30.01.2001 and to the post of Assistant with effect from 30.01.2011 along with consequential monitory benefits to the petitioner on the basis of the petitioner's representations dated 11.10.2019 and 21.01.2020.

For Petitioner : Mr.S.Ramu
For Respondents : Mrs.S.Srimathy,
Special Government Pleader

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to grant notional promotions to the post of Record Clerk with effect from 30.01.2001 and to the post of Assistant with effect from 30.01.2011 along with consequential monitory benefits to the petitioner on the basis of the petitioner's representations dated 11.10.2019 and 21.01.2020.

2.Heard Mr.S.Ramu, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

3. The petitioner was appointed as Night Watchman at Government High School, Aragunipalayam, Karur District on 25.01.1991, thereafter, he was appointed as Office Assistant at Government High School, Karunikulathupatti. Thereafter, by proceedings dated 03.08.1993 the petitioner's service was regularised by the District Education Officer as Watchman. In this regard, it is the grievance



of the petitioner that after considerable years of service, he should have been promoted as Record Clerk from 30.01.2001 and thereafter as Assistant from 30.01.2011. Since these promotions have not been granted to the petitioner, atleast seeking said promotions notionally from the said dates, the petitioner has given a representation to the respondents on 11.10.2019 and reminder dated 21.01.2020. Therefore, the learned counsel appearing for the petitioner would submit that, if the said representation followed by the reminder are directed to be considered on merits and in accordance with law by the respondents and an order to that effect is directed to be passed within the time frame to be stipulated by this Court, the petitioner would be satisfied.

4. The learned Special Government Pleader appearing for the respondents would submit that the said representation as well as the reminder submitted by the petitioner would be considered and necessary orders to that effect on merits would be passed within a time frame.

5. Considering the limited scope of the prayer sought for herein, this Court is inclined to dispose of this writ petition, with the following direction:

" that the respondents are hereby directed to consider the representation of the petitioner, dated 11.10.2019 followed by the reminder dated 21.01.2020 and pass orders thereon, on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With this direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:

(i) In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Director of School Education,
College Road,
Chennai-600 009.

2.The District Education Officer,
Karur District,
Karur.

+1 CC to M/s.S. RAMU, Advocate (SR-13437[F] dated 31/07/2020)

Order made in
W.P. (MD)No.8278 of 2020
29.07.2020

KK(07.08.2020) 3P 4C