



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated 01.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.17267 of 2020

(Through Video Conferencing)

WEB COPY

V.Poongundran

... Petitioner

Vs

1.The Principal Secretary to Government
Department of School Education,
Secretariat, Chennai.

2.The Director of School Education,
Directorate of School Education
Chennai.

3.The Joint Director of School Education
(Secondary Education)
Directorate of School Education,
Chennai.

4.The Chief Educational Officer,
Theni District,
Behind Collectorate,
Theni.

5.The District Educational Officer,
Theni Educational District
Theni 625531 Theni District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent to dispose of the petitioner's revision petition dated 29.10.2018 by passing an order to upgrade the Middle School Headmaster post, by converting into High School Headmaster post in the light of G.O.Ms.No.525 School Education Department (D1) dated 29.12.1997, within a time frame passed by this Court.

For Petitioner : Mr.F.X.Eugene

For Respondents : Ms.S.Srimathy

Special Government Pleader

ORDER

The writ petition has been filed for a direction to 1st respondent to dispose of the petitioner's revision petition dated 29.10.2018 by passing an order to upgrade the Middle School Headmaster post, by converting into High School Headmaster post in



the light of G.O.Ms.No.525 School Education Department (D1) dated 29.12.1997, within a time frame passed by this Court.

2.Heard the learned counsel for the petitioner as well as the learned Special Government Pleader for the respondents.

WEB COPY

3.The petitioner is the Secretary of Rama Palanivelsamy High School at Theni District. By citing the G.O.Ms.No.525 School Education Department (D1) dated 29.12.1997, that when a middle school is upgraded as high school, the Headmaster post will be converted into High School Headmaster and hence, the petitioner sent a representation to the 2nd respondent, which was dismissed on 04.08.2017. Aggrieved by the said rejection, the petitioner filed an appeal before the 2nd respondent on 29.08.2017. However, even the said appeal came to be dismissed by the 2nd respondent on 10.04.2018. Subsequently, the petitioner preferred a review petition before the 2nd respondent on 28.05.2018, which was also dismissed on 12.10.2018. Thereafter, the petitioner filed a review petition before the first respondent on 29.10.2018 against the rejection of review by the 2nd respondent dated 12.10.2018. Since the same has not been considered or disposed of so far, the petitioner is before this Court with this petition.

4.When the matter is taken up for hearing, it is represented by the learned Special Government Pleader that the petitioner is not having grant. She would further submit that apart from the fact that G.O.Ms.No.525 may not be applicable to the case of the petitioner. The said statement is recorded.

5.This Court is not inclined to render any finding on the merits of the matter, except directing the first respondent to decide the review petition in accordance with law. If the petitioner is not eligible on account of grant and also non applicability of G.O.Ms.No.525 dated 29.12.1997, it may be stated in the order of the 1st respondent specifically, so that the petitioner can either accept the order or if he is aggrieved, he can question the same in accordance with law.

6.With the above direction, this writ petition is disposed of. No costs.

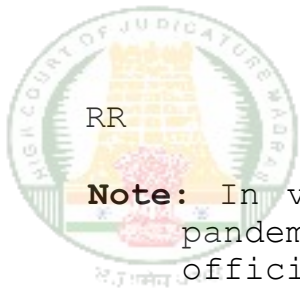
Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



RR

Note: 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 Principal Secretary to Government
Department of School Education,
Secretariat, Chennai.
2. The Director of School Education,
Directorate of School Education, Chennai.
3. The Joint Director of School Education
(Secondary Education)
Directorate of School Education, Chennai.
4. The Chief Educational Officer,
Theni District,
Behind Collectorate, Theni.
5. The District Educational Officer,
Theni Educational District
Theni 625531 Theni District.

+1 CC to Mr.F.X. EUGENE, Advocate (SR-23606[F] dated 02/12/2020)

Order made in
W.P. (MD) No.17267 of 2020
01.12.2020

VB (21.12.2020) 3P 7C