



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.17920 of 2020

S.Antony

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George, Chennai-600009.

2.The Director of School Education,
College Road, Chennai-600 006.

3.The Joint Director of School Education,
College Road, Chennai-600 006.

4.The Chief Educational Officer,
Pudhukottai, Pudhukottai District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the second respondent the Director of School Education to consider the petitioner's representation /objection dated 12.10.2020 for inclusion of his name in the panel for promotion to the post of District Educational Officers in the appropriate place (Rank No.2) by considering his seniority in service before effecting promotions based on the Tentative Panel published by the second respondent in Na.Ka.No.34551/A1/E1/2020 dated 09.10.2020, within a reasonable time as may be prescribed by this Court.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/S.Isaac Chambers

For Respondents : Mr.N.Shamugaselvam
Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The writ petition has been filed to direct the second respondent, the Director of School Education to consider the

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petitioner's representation / objection dated 12.10.2020 for inclusion of his name in the panel for promotion to the post of District Educational Officers in the appropriate place (Rank No.2) by considering his seniority in service before effecting promotions based on the Tentative Panel published by the second respondent in Na.Ka.No.34551/A1/E1/2020 dated 09.10.2020, within a reasonable time as may be prescribed by this Court.

3.The learned counsel appearing for the petitioner would submit that the petitioner is now serving as Headmaster of Government High School, Lekkanapatti, Illuppur, Pudhukottai District. On 05.05.2020, the Director of School Education issued a provisional selection list of eligible candidates for the post of DEO vide proceedings in Na.Ka.No.31070/A1/E1/2019. On perusal of the same, it was found that the petitioner was not included in the said list. Hence, the petitioner submitted a representation dated 06.05.2020 to the second respondent through the fourth respondent stating that his name was wrongly not included in the provisional list published by the second respondent on 05.05.2020 and requested him to take suitable steps to include his name. Subsequently, the second respondent published another tentative list of eligible teachers for promotion to the post of District Educational Officer for the year 2020-2021 vide proceeding in Na.Ka.No.34554/A1/E1/2020 dated 09.10.2020 and directed all the CEO to forward the same to all the school under their control and get the objections if any for non-inclusion of any one in the list along with substantiating materials within a period of fifteen days.

4.The learned counsel for the petitioner would further submit that On 12.10.2020, the petitioner submitted his objection, which is well within the fifteen days, to the second respondent to include his name as per the service seniority. Though the petitioner made his objection on 12.10.2020, the second respondent has not passed any order till date. Hence, without any other options, the petitioner approaches this Court by way of this writ petition for appropriate orders.

5.The learned Additional Government Pleader appearing for the respondents would fairly submit that the objection of the petitioner dated 12.10.2020 will be considered on merits and in accordance with law.

6.In view of the submissions made by the learned counsel appearing on either side, this Court directs the second respondent to consider the objection of the petitioner dated 12.10.2020 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order on merits and in accordance with law.



7. With the above directions, this Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

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 Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St. George,
Chennai-600 009.
2. The Director of School Education,
College Road, Chennai-600 006.
3. The Joint Director of School Education,
College Road, Chennai-600 006.
4. The Chief Educational Officer,
Pudhukottai, Pudhukottai District.

+1 CC to M/s. ISAAC CHAMBERS, Advocate (SR-24505[F] dated 08/12/2020

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TR(09.12.2020) 3P 6C