



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2020

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.11030 of 2014
and
M.P(MD) .No.2 of 20104

Tmt.T.Shanthi

... Petitioner

Vs.

1.The District Elementary Education Officer,
Tiruchirapalli, Tiruchirapalli District.

2.The Assistant Elementary Educational Officer,
Opp. To U.T.C.College,
Thiruverumbur, Tiruchirappalli District.

3.The Correspondent,
Boiler Plant Middle School(Aided School)
Kailasapuram, Tiruchirappalli District.

4.Smt.R.Anusuya Devi
B.T.Assistant,
Now Promoted as Headmaster of
Boiler Plant Middle School(Aided School)
Kailasapuram,
Tiruchirappalli District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 3rd respondent in proceedings No.Nil dated 26.08.2013 and the consequential impugned order of approval by the 1st respondent in Na.Ka.No.5000/A4/2013 dated 30.01.2014 and quash the same and consequently, direct the respondents 1 to 3 herein to promote the petitioner as the Headmistress of 3rd respondent School as the Senior Most Secondary Grade Teacher with effect from 01.04.2010.

For Petitioner: Mr.K.Appadurai

For R1 and R2 : Mrs.S.Srimathi
Special Government Pleader

For R3 and R4 : Mr.S.Anwar Sameem



ORDER

The promotion order of the fourth respondent as Middle School Headmistress, in proceedings dated 26.08.2013, is under challenge in the present writ petition.

2.The order, dated 26.08.2013 reveals that the fourth respondent, who was working as B.T.Assistant, was promoted to the post of Middle School Headmistress in the vacant post that arose on account of the retirement of one Tmt.Kanagavalli.

3.The learned counsel appearing for the writ petitioner cited the order of the Government issued in G.O.Ms.No.1297 dated 21.07.1979 and would state that the senior-most among persons working as Secondary Grade Teachers or in other cadre of trained but qualified for B.Ed., are also eligible for promotion to the post of Headmistress. However, the said Government Order was issued in the year 1979 cannot have any application with reference to the promotion granted after several years.

4.Promotions are to be considered strictly in accordance with the rules in force. No doubt, consideration of all the eligible candidates is the mandate. In the present case, the feeder category for promotion to the post of Headmistress is B.T.Assistant. Admittedly, the writ petitioner is working as a Secondary Grade Teacher. When the feeder category for the post of Headmistress is B.T.Assistant, the writ petitioner, who is working as Secondary Grade Teacher, cannot claim promotion directly to the post of Headmistress of the Middle School.

5.Thus, the petitioner, who is not working in the feeder category cannot make a claim for promotion to the post of Middle School Headmistress. Thus, the petitioner has not made out any grounds for considering the relief sought for in the present writ petition. Thus, the writ petition is devoid of merits and the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The District Elementary Education Officer,
Tiruchirapalli, Tiruchirapalli District.

2.The Assistant Elementary Educational Officer,
Opp. To U.T.C.College,
Thiruverumbur, Tiruchirappalli District.

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