



WEB COPY

W.P.(MD) No.25845 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.01.2020**

CORAM:

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

W.P. (MD) No.25845 of 2019

and

W.M.P. (MD) Nos.22352 & 22353 of 2019

T.Thamaraiselvan

... Petitioner

/vs./

1.The State of Tamilnadu,
represented by its Principal Secretary to Government,
School Education,
Secretariat,
Chennai.

2.The Director of School Education,
O/o. the Director of School Education,
College Road,
Chennai.

3.The Joint Director (Higher Secondary),
O/o. the Joint Director,
DPI Campus,
College Road,
Chennai - 6.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent vide his proceedings No.3720/W.1/E1/2019 dated 16.11.2019 and quash the same as illegal insofar as the non-inclusion of the petitioner's name is concerned and consequentially to direct the respondents to accommodate the petitioner in any one of the available vacancy of Headmaster of Higher Secondary School at the choice of the petitioner taking into consideration of the petitioner's seniority without reference to the criminal case registered against the petitioner, within the period that may be stipulated by this Court.

For Petitioner

: Mr.C.Venkatesh Kumar for
M/s.Ajmal Associates

For Respondents

: Mr.A.Thiagarajan
Government Advocate



ORDER

The grievance of the petitioner is that though the petitioner has been included in the panel for promotion to the post of Headmaster, his name does not found place. In this connection, the petitioner had also made a representation to the respondents on 10.11.2019. However, challenging the non inclusion, the present writ petition has been filed.

2.It is seen from the records that no reason has been assigned as to why the petitioner's name has not been included in the panel for promotion to the post of Headmaster. Unless and until the petitioner is made aware of the reason for non inclusion of his name, he may not be in a position to challenge the same.

3.Under these circumstances, if the petitioner's representation dated 10.11.2019, is directed to be considered by the second respondent within a stipulated time, the ends of justice could be secured.

4.In the light of the above observation, there shall be a direction to the second respondent to consider the petitioner's representation dated 10.11.2019, on its own merits and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

mm

To

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



2.The Director of School Education,
O/o. the Director of School Education,
College Road,
Chennai.

3.The Joint Director (Higher Secondary),
O/o. the Joint Director,
DPI Campus,
College Road,
Chennai - 6.

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

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-3452[F] dated
28/01/2020)

+1 CC to SPL.GP (SR-3353[F] dated 28/01/2020)

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VB(06.02.2020) 3P 7C