

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.2689 of 2021 and
WMP No.3020 of 2021

S.R.Anusuya

... Petitioner

Vs

1. The Director,
Directorate of School Education,
DPI Complex, College Road,
Chennai - 600 006.
2. The Joint Director (Vocational),
Directorate of School Education,
DPI Complex, College Road,
Chennai - 600 006.
3. The Headmistress,
Government High School,
Thamarapalayam, Erode. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to call for records of the 2nd respondent made in his proceedings in Na.Ka.No.38519/VI/E2/2019, dated 06.11.2020 and quash the same and consequently direct the respondents to promote the petitioner as computer instructor to teach computer science for classes 11 and 12 in higher secondary schools pursuant to the recommendations of the name of the petitioner by the 3rd respondent within a time frame as may be fixed by this Court.

For Petitioner : Mr.Silambanan, for
K.Sathish

For Respondents : Mr.P.Raja,
Government Advocate

O R D E R

This writ petition has been filed, to quash the proceedings made in Na.Ka.No.38519/VI/E2/2019, dated 06.11.2020 passed by the 2nd respondent and for a consequential direction to the respondents to promote the petitioner as computer instructor to teach computer science for classes 11 and 12 in higher secondary schools pursuant to the recommendations of the name of the petitioner by the 3rd respondent.

2. By consent of both sides, the orders are passed in the writ petition. Mr.P.Raja, learned Government Advocate takes notice for respondents.

3. When the matter is taken up for hearing, it is represented by the learned counsel for the petitioner that the relief sought for in the WMP No.3020 of 2021 shall be considered by the respondents and seeks direction to dispose of the same.

4. The learned Government Advocate appearing for the respondents also have no objection to consider the representations of the petitioner dated 23.01.2019 and 25.09.2020, which is sought for in WMP, if they are not considered and disposed of earlier, after hearing the petitioner in person.

5. In view of the above submissions made by the learned counsel appearing on either side, this Court directs the 2nd respondent to consider the representations of the petitioner dated 23.01.2019 and 25.09.2020, after affording an opportunity of hearing to the petitioner, and pass orders in accordance with law, as early as possible, preferably within a period of two months from the date of receipt of a copy of this order.

6. It is needless to mention that it is open to the petitioner to make further representation, setting out the subsequent development in order to enable the 2nd respondent to consider the request of the petitioner and dispose of the same.

7. The petitioner shall furnish her phone number, email ID, if any, etc., along with a copy of the representation dated 23.01.2019 and 25.09.2020 and this order, to the respondents forthwith. The respondents are directed to communicate the decision taken on the representation, to the petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/registered post/speed post, so that there is no need for the parties to file contempt after expiry of the specified period. In case the authorities concerned fail to send

communication to the parties, they will have to face the civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned un-served for one reason or the other, the same shall be kept in the file without opening it for the proof of attempt of delivery, so that the parties, at a later point of time, will not take a plea that she is not aware of the order.

8. With the above direction, this writ petition is disposed of by granting relief sought for in the connected Writ Miscellaneous Petition. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/
Sub Asst. Registrar

vum
To:

1. The Director,
Directorate of School Education,
DPI Complex, College Road,
Chennai - 600 006.
2. The Joint Director (Vocational),
Directorate of School Education,
DPI Complex, College Road,
Chennai - 600 006.

+1 cc to M/s.Sathish Advocate sr7454
+1 cc to M/s.Government pleader sr7857

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