

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 20152 of 2011 and  
W.M.P. No. 1 of 2011

G.Selvarajan  
B.T.Assistant (Tamil)  
Government High School,  
Pachithanapalli, Dellarampalli Post,  
Krishnagiri District. ... Petitioner

-vs-

1. The Director of School Education,  
College Road, Chennai - 6.
2. The Joint Director of School Education,  
(Higher Secondary) College Road,  
Chennai - 600 006. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to promote the petitioner as P.G.Assistant (Commerce) in 10% reserved vacancies earmarked for Secondary Grade Teachers.

For Petitioner : No appearance

For Respondents : Mr.S.Sureshkumar  
Government Advocate

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to promote the petitioner as P.G.Assistant (Commerce) in 10% reserved vacancies earmarked for Secondary Grade Teachers.

2. The petitioner was working only as Secondary Grade Assistant with effect from 1979. He wanted to get a promotion as P.G.Assistant (Commerce) in the alleged 10% quota earmarked for Secondary Grade Teachers.

3. Therefore, in this regard, he claimed to have given a representation on 04.11.1997 and based on which, since no order

has been passed, the petitioner approached this Court by filing the present Writ Petition.

4. When the case is called, there is no representation for the petitioner, however, Mr.S.Sureshkumar, learned Government Advocate appearing for the respondents, on instructions, would submit that, there is no such quota for giving direct promotion to the P.G.Assistant for the Secondary Grade Teachers, as that would be filled up only by way of direct recruitment, for which, those working as Secondary Grade Teachers can also compete as a fresher and no automatic promotion can be given for a Secondary Grade Teachers for the post of P.G.Assistant, though the person is having the qualification to hold the post of P.G.Assistant.

5. Moreover, the petitioner himself has retired from service on superannuation on 31.05.2014, therefore, the question of considering his request does not arise. Hence, he seeks dismissal of this Writ Petition.

6. I have heard the said submissions made by the learned Government Advocate appearing for the respondents and have perused the materials placed before this Court.

7. In view of the submission made by the learned Government Advocate and by taking in to account, that the petitioner himself retired from service on superannuation on 31.05.2014, the plea raised by the petitioner cannot be considered on merits and also on the basis of his superannuation, which he attained long years back. Therefore, this Writ Petition fails, hence, it is dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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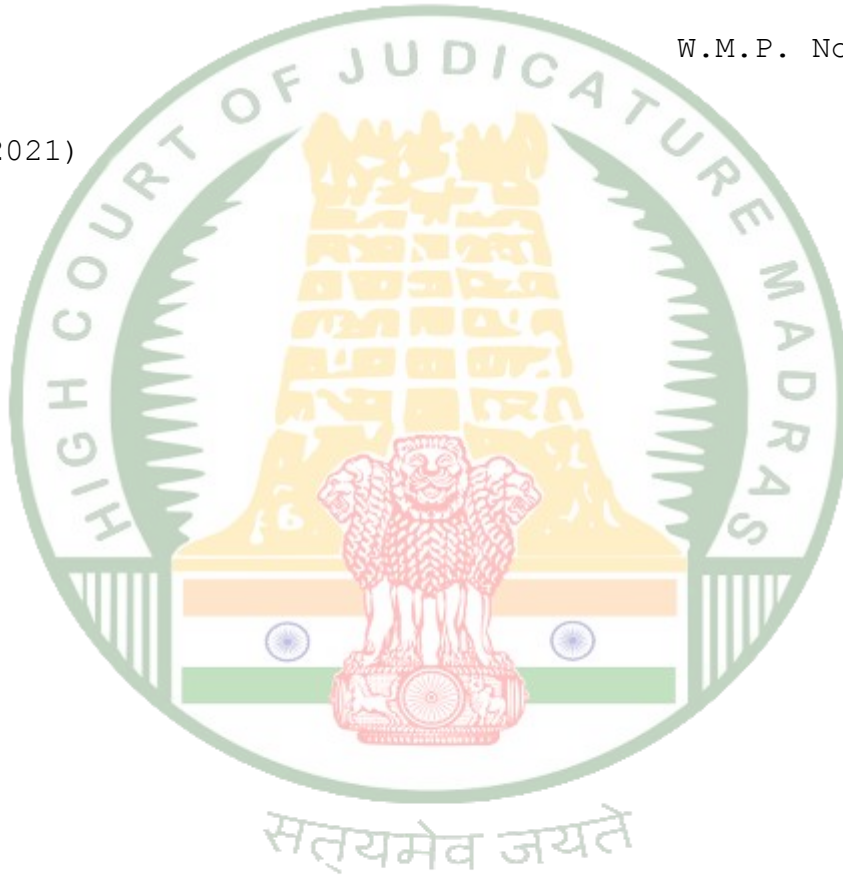
1. The Director of School Education,  
College Road, Chennai - 6.

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+1cc to the Government Pleader, S.R.No.21900

W.P. No. 20152 of 2011  
and  
W.M.P. No. 1 of 2011

PMK (CO)  
KM(27/04/2021)



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