

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 28.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.27051 of 2011
and
M.P.No.1 of 2011

G.Rajeswari

...Petitioner

Vs

- 1.The State of Tamil Nadu
Rep., by The Secretary to Government,
Department of Education,
Fort St. George,
Chennai-600 009.
- 2.The Joint Director (Personal) of
School Education,
Tamil Nadu School Education Department,
Chennai-600 006.
- 3.The Chief Educational Officer,
Salem District,
Salem.
- 4.The Headmistress,
Girls Higher Secondary School,
Attur, Salem District.
- 5.M.Kalaiselvi,
Teacher,
Government Boys Higher Secondary School,
Paramathi 637 207,
Namakkal District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 to include the name of the petitioner in the final panel for promotion to the post of B.T.(History) Teacher vide second respondent's proceedings Na.Ka.No.44975/C2/E2/2011 dated 10.11.2011 and promote her with all attendant and monetary benefits from the date of promotion of the fifth respondent.

For Petitioner : Mr.A.Arulmozhi

For Respondents: Mr.S.Suresh Kumar, GA

O R D E R

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

2. The issue as to whether the petitioner deserved to be promoted to the post of B.T. (History) Teacher is based on certain factual aspects and therefore, the second respondent would be the appropriate authority to consider the same. In case, the decision is taken on the petitioner's request and the petitioner is aggrieved against the same, it would always be open to the petitioner to approach this Court. However, this Court does not intend to step into the shoes of the second respondent for the purpose of considering the petitioner's request for promotion. However, if the petitioner is at liberty to make a fresh representation to the second respondent seeking for promotion with a consequential direction to the second respondent for consideration of the same within a stipulated time, the ends of justice could be secured.

3. In the light of the above observation, the petitioner herein is granted liberty to make a fresh representation to the second respondent ventilating her grievances and on receipt of the same, the second respondent shall consider the same on its own merits and take appropriate course of action in accordance with law, within a period of three months from the date of receipt of the representation.

4. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbn/hvk
To

1.The Secretary to Government,
The State of Tamil Nadu,
Department of Education,
Fort St. George, Chennai 600 009.

2.The Joint Director (Personal) of
School Education,
Tamil Nadu School Education Department,
Chennai 600 006.

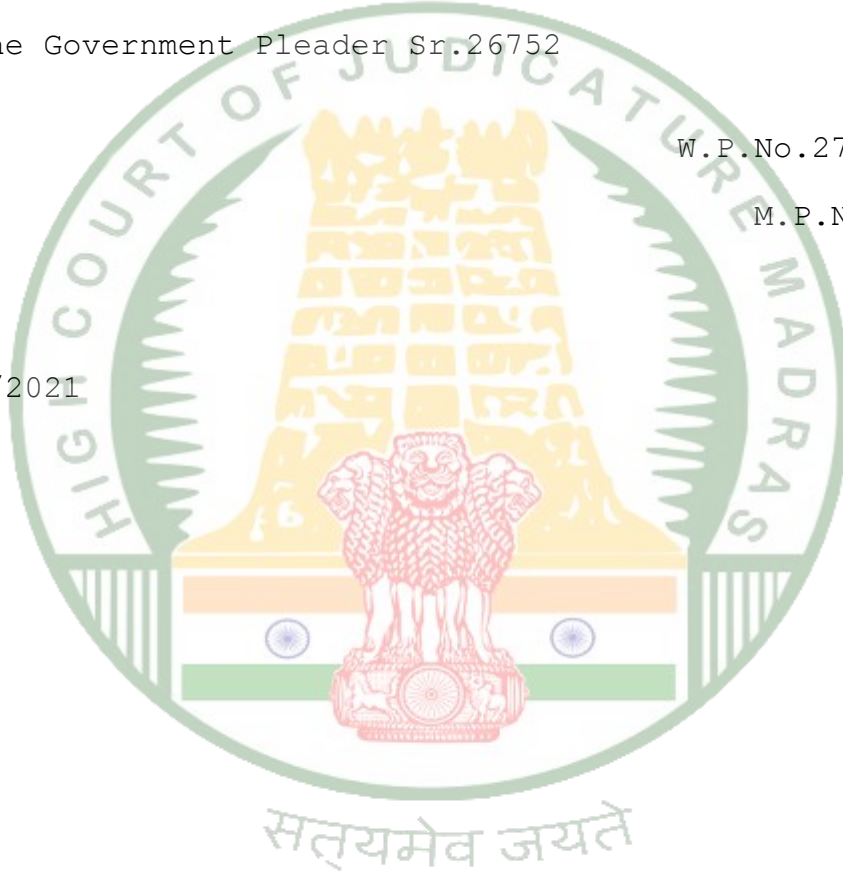
3.The Chief Educational Officer,
Salem District, Salem.

4.The Headmistress,
Girls Higher Secondary School,
Attur, Salem District.

+1cc to the Government Pleader Sr.26752

W.P.No.27051 of 2011
and
M.P.No.1 of 2011

vsn II[co]
srg 13/07/2021



WEB COPY