

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.5698 of 2021

S.Prema

... Petitioner

Vs.

1. The Director,
Elementary Education Department,
Directorate of School Education,
DPI Compound,
Chennai 600 006.
2. The Chief Educational Officer,
Office of the Chief Education Officer,
Coimbatore - 641 001.
3. The District Educational Officer,
Office of the District Educational Office,
Sarkaar Samakkulam Education District,
Ondipudur,
Coimbatore - 641 016.
4. The Block Educational Officer,
Block Education Office,
Sarkaar Samakkulam Education District,
Sarkaar Samakulam,
Coimbatore - 641 107.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to promote the Petitioner from Secondary Grade Teacher to B.T. Assistant (Science) with effect from 18.06.2014 on par with other juniors with all attendant benefits within a stipulated period.

For Petitioner : Mr.R.Ezhilarasan

For Respondents : Mr.P.Raja,
Government Advocate

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to promote her from Secondary Grade Teacher to B.T. Assistant (Science) with effect from 18.06.2014 on par with other juniors with all attendant benefits.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. When the matter was taken up for hearing, learned counsel for the Petitioner submitted that, no decision has been taken by the Department, pursuant to the order dated 22.11.2019 passed by this Court in W.P.No.32804 of 2019. Such being the case, the Petitioner is not entitled to approach this Court for the very same relief. This Court has already held that, powers under Article 215 of the Constitution of India cannot be abridged by Section 20 of the Contempt of Courts Act, 1971. Hence, this Court is of the view that, the relief sought for by the Petitioner cannot be granted.

4. It is needless to mention that, it is open to the Petitioner to initiate contempt proceedings, as there cannot be any delay. Whether the delay is willful or not has to be seen when the Contempt Petition is taken up for hearing.

The Writ Petition stands dismissed with the above observation. No costs. Consequently, connected W.M.P.No.6330 of 2021 is closed.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

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+1cc to the Government Pleader SR.15560

W.P.No.5698 of 2021

GPL(CO)
CB(31/03/2021)



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