



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.1477 of 2021

N.Chandrasekar

(Vocational Teacher Grade-I)

... Petitioner

Vs.

1.The Secretary to Government of Tamilnadu,
School Education Department,
Secretariat, Fort St.George, Chennai-600 009.

2.The Director of School Education,
DPI Campus, College Road, Chennai.

3.The Joint Director of School Education,
DPI Campus, College Road, Chennai.

4.The Chief Educational Officer,
Dindigul District, Palani Road, Dindigul.

5.The District Educational Officer,
Dindigul District, Palani Road, Dindigul.

6.The Head Master,
Nehruji Memorial Municipal Higher Secondary School,
Dindigul,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to promote the petitioner as a P.G.Assistant as per the PG Panel 2019 Political Science (Cross Major) as on 01-01-2019 prepared by the fourth respondent within a time frame as stipulated by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu
For R-1 to R-5 : Mr.A.Thiyagarajan
Government Advocate

O R D E R

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

2.The grievance of the petitioner is that he has been not extended with the promotion as P.G Assistant as per the PG panel for political science (Cross Major) for the year 2019. According to the petitioner, the fourth respondent had prepared the panel way back in 01.01.2019 itself, but still is not issued the promotion order.



3.The writ petition seeking for issuance of writ of mandamus, will not normally lie unless and until the petitioner approaches the concerned Authority to redress his grievances and then if there is no further action on his representation, this Court may be justified in exercising its powers under Article 226 of Constitution of India for dereliction of the duties of the Statutory Authority for not considering the petitioner's request. In the present case, admittedly the petitioner has not approached the respondents seeking for his promotion. As such, it would not be appropriate for this Court to step into the shoes of the Statutory Authority and direct them to issue promotion order. Nevertheless, if the petitioner is granted liberty to approach the concerned Authority ventilating his grievance, with a consequential direction to the Authority to consider such representation, the ends of justice could be secured.

4.In the light of the above observations, the petitioner is granted liberty to give a representation to the concerned respondent ventilating his grievances and on receipt of such representation, the concerned respondent shall act upon the same, as expeditiously as possible.

5.Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary to Government of Tamilnadu,
School Education Department,
Secretariat, Fort St.George, Chennai-600 009.

2.The Director of School Education,
DPI Campus, College Road,Chennai.

3.The Joint Director of School Education,
DPI Campus, College Road,Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Chief Educational Officer,
Dindigul District, Palani Road,
Dindigul.

5.The District Educational Officer,
Dindigul District, Palani Road,
Dindigul.

+1 CC to M/s.GP (SR-2840[F] dated 02/02/2021)

W.P.(MD) No.1477 of 2021
01.02.2021

(ES)CO

AP(18/02/2021) 3P 7C