



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

WP(MD) No.16220 of 2021

Mallika

... Petitioner

Vs.

1.The District Educational Officer,
Madurai District,
Madurai.

2.The Block Educational Officer,
Usilampatti Taluk,
Madurai District.

3.The Assistant Elementary Educational Officer,
Chellampatti,
Usilampatti Taluk,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the 2nd respondent to enter petitioner's B.Sc.(Maths) degree in her service book from the date of its completion and subsequently release the additional increment for completing higher education and fix the seniority based on petitioner's application dated 27.08.2020.

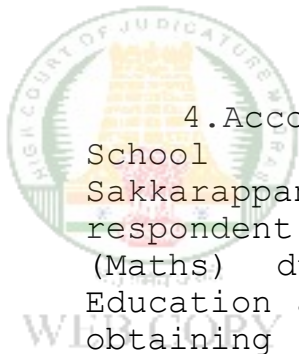
For Petitioner : Mr.S. Veerapandi Selvaraj
For Respondents : Mr.S. Shanmugavel
Standing Counsel

O R D E R

This Writ Petition has been filed for the issue of a direction to the 2nd respondent to enter the petitioner's B.Sc., (Maths) Degree in her service book from the date of its completion and subsequently, release the additional increment for completing higher education and fix the seniority, based on petitioner's application, dated 27.08.2020.

2.Heard the learned counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Standing Counsel appearing for the respondents.

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



4. According to the petitioner, she had joined as Junior Middle School Teacher at Panchayat Union Middle School, Sakkarappanayakkanur, Chellampatti Panchayat Union, as per the 2nd respondent proceeding, dated 20.10.2004. She has completed B.Sc., (Maths) during the academic year 2017-2019, through Distance Education as certified by the Manonmaniam Sundaranar University, by obtaining prior permission from the 2nd respondent. After getting the provisional and mark statements, she has submitted her application dated 27.08.2020 to the 2nd respondent to enter her higher qualification in Service Book. But, till date, her qualification was not entered in the service book of second respondent, therefore, she was not able to get the seniority in the list and receive the increments and other benefits. Hence, the petitioner has sent representation dated 27.08.2020 to the 2nd respondent, but, the same has not been considered by them till date. In such circumstances, the petitioner has come out with the present Writ Petition.

5. Considering the facts and circumstances of the case, the limited scope of prayer sought for in this Writ Petition and without expressing any opinion on the merits of the matter, the 2nd respondent is directed to consider the representation of the petitioner dated 27.08.2020, on its own merits and in accordance with law and pass orders, within a period of twelve weeks from the date of receipt of a copy of this order. Needless to say that the petitioner shall forward a copy of the representation along with a copy of this order to the second respondent, to enable him to comply with directions passed by this Court.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

To

1. The District Educational Officer,
Madurai District,
Madurai.

2. The Block Educational Officer,
Usilampatti Taluk,
Madurai District.



3.The Assistant Elementary Educational Officer,
Chellampatti,
Usilampatti Taluk,
Madurai District.

+1 CC to M/s.GP (SR-28831[F] dated 13/09/2021)

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RS (27.09.2021) 3P 5C