



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.3918 of 2017

and

W.M.P. (MD) .Nos.3095 & 3096 of 2017

S.Rajan Babu

.. Petitioner

Vs

1.The Director of Most Backward
Class & De-notified Community,
Ezhilagam, Chepauk,
Chennai-625 005.

2.The Joint Director,
Kallar Reclamation,
Madurai-625 020.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 herein to promote the petitioner as B.T.Assistant (Mathematics) in the existing vacancies in Theni District, Dindigul District and Madurai District on the basis of seniority list as on 01.03.2016 drawn by the second respondent as per the rules of promotion framed in G.O.Ms.No.116 dated 19.11.2008 for the B.T.Assistant (Mathematics).

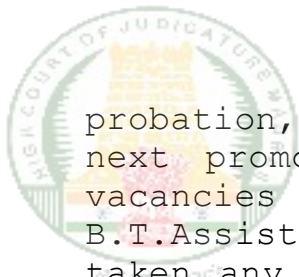
For Petitioner : Mr.K.Appadurai

For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

O R D E R

The prayer sought for in the present writ petition is for a direction to the respondents to promote the petitioner as B.T.Assistant (Mathematics) in the existing vacancies in Theni District, Dindigul District and Madurai District on the basis of seniority list as on 01.03.2016 drawn by the second respondent as per the rules of promotion framed in G.O.Ms.No.116 dated 19.11.2008 for the B.T.Assistant (Mathematics).

2. The case of the petitioner is that the petitioner was appointed as a Secondary Grade Teacher in the year 2004 in the Government Kallar Primary School. On successful completion of



probation, his service was regularized and he became eligible for next promotion of B.T.Assistant (Mathematics). Though several vacancies were available to promote the petitioner as B.T.Assistant (Mathematics), however, the respondents have not taken any steps to promote the petitioner. Hence, the petitioner made representations on 16.08.2016, 27.10.2016, 10.02.2017. But no orders were passed in this regard. Hence, this writ petition.

3. The learned counsel for the petitioner would submit that in the University, there are several vacancies available to the post of B.T.Assistant (Mathematics) and the petitioner is also eligible for the said promotion as per seniority. However, the respondents have not taken any effective steps to fill up the vacancies by promoting the eligible persons like the petitioner. Hence, this Court may issue a direction to the respondents to pass orders on considering the petitioner's representation dated 10.02.2017 within a reasonable time as fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents has no serious objection to consider the representation of the petitioner dated 10.02.2017.

5. Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

6. Considering the facts and circumstances of the case and considering the submissions made by the learned counsel on either side, this Court, without going to the merits of the case, is inclined to issue a direction to the respondents to consider the representation of the petitioner within a reasonable time. Accordingly, this Court directs the respondents to consider the representation of the petitioner dated 10.02.2017, and pass appropriate orders, on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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 Director of Most Backward
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Ezhilagam, Chepauk,
Chennai-625 005.

2.The Joint Director,
Kallar Reclamation,
Madurai-625 020.

**W.P. (MD) .No.3918 of 2017
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KM (17.05.2021) 3P 3C