



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P. (MD)No.11246 of 2016

and

W.M.P. (MD)No.8608 of 2016

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G.Kanagaraj

... Petitioner

versus

1. The State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Elementary Education,
Fort St. George,
Chennai - 9.
 2. The Director of Elementary Education,
Chennai - 6.
 3. The District Elementary Educational Officer,
Sivagangai,
Sivagangai District.
 4. The Assistant Elementary Educational Officer,
O/o. The Assistant Elementary Educational Officer,
S.Pudur, S.Pudur Union,
Sivagangai District - 630 309.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents 3 and 4 to include the petitioner's name in the panel for promotion to the post of B.T. Assistant (English) as on 01.01.2016 within the 4th respondent S.Pudur Union, within the time to be stipulated by this Court.

For Petitioner : M/s.T.Lajapathi Roy

For Respondents : Mrs.S.Srimathy,
Special Government Pleader

**ORDER**

The petitioner has filed this writ petition seeking for the issuance of Writ of Mandamus, to direct the respondents 3 and 4 to include his name in the panel for promotion to the post of B.T. Assistant (English) as on 01.01.2016, within the 4th respondent Union, within the time to be stipulated by this Court.

2. The case of the petitioner is that he was appointed as Secondary Grade Teacher on 20.10.2004 and posted within the 4th respondent Union. Thereafter, he acquired B.Lit. degree in the year 2007, B.Ed. degree in the year 2011 and also B.A. (English) in the year 2015 and his qualifications were entered in his service register. According to the petitioner, the panel of Elementary School Headmasters and Secondary Grade Teachers, who are eligible for promotion to the post of B.T. Assistant, is drawn as on the crucial date of the first day of the first month of every year. Therefore, he made a representation dated 25.01.2016 to the 4th respondent to include his name in the panel for promotion to the post of B.T. Assistant. The 4th respondent informed the petitioner vide a communication dated 25.01.2016 that the application for inclusion in the panel is sent to the 3rd respondent for necessary orders. Thereafter, the petitioner has also sent another representation dated 25.02.2016 to the 3rd respondent. The 4th respondent, vide order dated 29.02.2016, asked the petitioner to submit all certificates. The petitioner has also submitted all the certificates on 02.03.2016. Thereafter, the 4th respondent, vide communication dated 29.04.2016, asking the petitioner to submit the certified copies prior to 01.05.2016. Therefore, the petitioner gave a representation dated 30.04.2016 enclosing all the certificates required. Since there was no response, the petitioner again sent a representation dated 10.06.2016 to the respondents, requesting to include his name in the panel for promotion to the post of B.T. Assistant. Till date, no order was passed by the respondents. Hence, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner submits that it would suffice for the petitioner, if the respondents are directed to consider the representation dated 10.06.2016 given by the petitioner.

4. As the relief sought for in the writ petition is restricted within a narrow campus for the disposal of the representation of the petitioner, this Court, without going into the merits of the case, directs the respondents to consider the representation dated 10.06.2016 given by the petitioner and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The Principal Secretary,
Department of Elementary Education,
Fort St. George,
Chennai - 9.
2. The Director of Elementary Education,
Chennai - 6.
3. The District Elementary Educational Officer,
Sivagangai,
Sivagangai District.
4. The Assistant Elementary Educational Officer,
O/o. The Assistant Elementary Educational Officer,
S.Pudur, S.Pudur Union,
Sivagangai District - 630 309.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-15107[F] dated 01/04/2021)

W.P. (MD) No.11246 of 2016

01.04.2021

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