



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.2131 of 2017

WEB COPY

- 1.Ponnupandi
- 2.Muthukumar
- 3.Raju
- 4.Alexander
- 5.Thamaraiselvi
- 6.Muthuramalakshmi
- 7.Suresh
- 8.Malika

... Petitioners

Vs.

- 1.The Director,
Adhi Dravidar Welfare Department,
Chepauk,
Chennai.
- 2.The District Adhi Dravidar Welfare Officer,
Tuticorin District,
Tuticorin.
- 3.The Special Tahsildar,
Adhi Dravidar Welfare
Kovilpatti,
Thoothukudi District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to publish the finalized seniority list in the cadre of secondary grade teachers fit for promotion to the post of B.T Assistants in Government Schools (Adhi Dravidar and Tribal Welfare) Thoothukudi District, for the year 2015-16 within the time frame stipulated by this Court.

For Petitioners : Mr.P.Samuel Gunasin

For Respondents : Mr.C.M.Marichelliah Prabhu

Additional Government Pleader

O R D E R

This Writ Petition is filed for a direction to the respondents to publish the finalized seniority list in the cadre of secondary grade teachers fit for promotion to the post of B.T Assistants in aring the seniority list, the petitioners' qualifications and the date of probation were not mentioned in the seniority list, for which, they made an objections. However, the said objections were not considered. Without considering the said objections, the respondents issued a temporary list. Hence, this Court may issue a direction to the respondents to publish the finalized seniority list.



3.This Court, by order dated 09.03.2021, directed the second respondent to appear before this Court. Pursuant to the order of this Court, the second respondent appeared before this Court and submitted that the seniority panel of the qualified Teachers/Wardens as on 01.03.2015 was drawn on 25.03.2015 and published in the notice board in the Office of the District Adi Dravidar and Tribal Welfare Officer, Thoothukudi as well as in the Unit Offices and the copies of the same were sent to the respective Schools/Hostels and objections were called for from the individual teachers. Accordingly, some of the individual teachers made objections and the said objections were properly considered and respective entries were made in the seniority list on 22.04.2015 and final list was also published on 18.11.2015. If the petitioners have any grievance, they have to file an appeal before the first respondent under Section 37 of the Tamil Nadu State and Subordinate Service Rules.

4.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5.The facts in the present case are not in dispute. Admittedly, the petitioners were appointed as Secondary Grade Teacher in the year 2010 and the fifth petitioner was appointed as Secondary Grade Teacher in the year 2007. Admittedly, the temporary seniority list was drawn on 29.03.2015 and the final list was drawn on 18.8.2015. Since the final list was forwarded to the Head Office for clarification, again objections were called for from the petitioners on 19.11.2015. The fact remains that the original seniority list was issued on 24.03.2015 and some of the petitioners were also made an objections on the ground that their qualifications and the date of probation were not mentioned in the seniority list. The said objection was considered and the same was rectified by publishing the seniority list. Even the petitioners are not satisfied, they have an appeal remedy before the first respondent under Section 37 of the Tamil Nadu State and Subordinate Service Rules. Hence, the relief sought for by the petitioner cannot be granted. Accordingly, this Writ Petition is dismissed. No costs. However, liberty is granted to the petitioners to work out their remedy in the manner known to law.

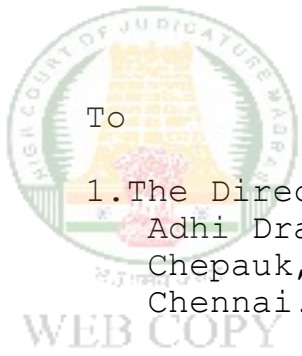
Sd/-

Assistant Registrar (P&A)

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/ /2021

Sub Assistant Registrar(CS)



To

1.The Director,
Adhi Dravidar Welfare Department,
Chepauk,
Chennai.

2.The District Adhi Dravidar Welfare Officer,
Tuticorin District,
Tuticorin.

3.The Special Tahsildar,
Adhi Dravidar Welfare
Kovilpatti,
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-12004[F] dated 17/03/2021)

W.P. (MD)No.2131 of 2017

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GS (04.05.2021) 3P 5C