



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.15704 and 15705 of 2014
and
M.P.Nos.2 & 2 of 2014

W.P.No.15704 of 2014:

1.C.Viswanath

...Petitioner

-Vs-

1.The Director of Elementary Education,
DPI Complex, College Road,
Chennai-6.

2.The Joint Director of Elementary
Education (Admn.)
DPI Complex, College Road,
Chennai-6.

3.The District Elementary Education Officer,
Thiruvanamalai District.

4.The Assistant Elementary Education Officer,
Thooallear Block,
Thiruvannamalai District.

...Respondents

W.P.No.15705 of 2014:

S.Jarina

...Petitioner

-Vs-

1.The Director of Elementary Education,
DPI Complex, College Road,
Chennai-6.

2.The Joint Director of Elementary
Education (Admn.)
DPI Complex, College Road,
Chennai-6.



3.The District Elementary Education Officer,
Vellore District.

4.The Assistant Elementary Education Officer,
Arakkonam Panchayat,
Vellore.

...Respondents

Prayer in W.P.No.15704 of 2014: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned panel issued by the 4th respondent in proceedings No. Nil dated on 01.01.2014 and quash the same and directing the respondents herein to promote the petitioner as B.T. Assistant (English) with all service and monetary benefits.

Prayer in W.P.No.15705 of 2014: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned panel issued by the 4th respondent in proceedings No. Nil dated on 19.05.2014 and quash the same and directing the respondents herein to promote the petitioner as B.T. Assistant (English) with all service and monetary benefits.

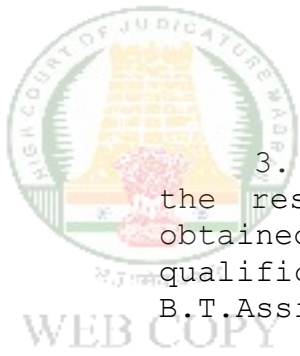
For Petitioner : Ms.S.Suneetha
for Mr.K.H.Ravikumar
(in both W.Ps)

For Respondents : Mr.A.M.Ayyadurai,
Government Advocate
(in both W.Ps)

COMMON ORDER

These writs petition have been filed questioning the panel issued by the 4th respondent/Assistant Elementary Education Officer and to direct the respondents to promote the petitioners as B.T. Assistants (English).

2. The writ petitioners are working as Secondary Grade Teachers. The next avenue for promotion is to the post of B.T.Assistant. The petitioners state that their names were included in the panel dated 01.01.2012 for promotion to the post of B.T.Assistant. However, no promotion was granted. Thus, the petitioners are constrained to move these writ petitions.



3. The learned Government Advocate appearing on behalf of the respondents made a submission that the writ petitioners obtained dual degree, which is not an eligible educational qualification for the purpose of promotion to the post of B.T.Assistant.

4. Dual Degrees are held invalid and therefore, the petitioners are not eligible for promotion to the post of B.T.Assistant. That apart, the panel of the year 2012 was prepared and mere publication of panel would not confer any right on the employee to seek a direction for promotion. That apart, the petitioners could not be able to establish that any of the junior to the writ petitioners was promoted to the said post during the relevant point of time. However, the fact remains that the petitioners during the relevant point of time were not possessing the requisite educational qualification for promotion to the post of B.T.Assistant.

5. Thus, the petitioners have not established any acceptable ground for the purpose of considering the relief sought. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

hvk/jeni

To

- 1.The Director of Elementary Education,
DPI Complex, College Road,
Chennai-6.
- 2.The Joint Director of Elementary Education (Admn)
DPI Complex, College Road,
Chennai-6.
- 3.The District Elementary Education Officer,
Thiruvanamalai District.



4.The Assistant Elementary Education Officer,
Thooallear Block,
Thiruvannamalai District.

5.The District Elementary Education Officer,
Vellore District.

6.The Assistant Elementary Education Officer,
Arakkonam Panchayat,
Vellore.

+lcc to the Government Pleader, SR.38288

W.P.Nos.15704 and 15705 of 2014
and
M.P.Nos.2 & 2 of 2014

PA(CO)
CB(06/07/2022)