IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.18699 of 2020
and WMP.No.23217 of 2020

V.Sivanesan .. Petitioner

vs.

1.The Secretary to Government,
Education Department,
Fort St.George,
Chennai-600 009.

2.The Commissioner,
Adi-Dravidar Welfare Department,
Chepauk, Chennai-600 005.

3.Thiru G.Muniyappan
4.Thiru S.P.Rajasekaran
5.Tmt.P.Suganthiselvi
6.Tmt.E.Sivasangari
7.Tmt.J.Arunadevi
8.Thiru.M.Dhatchinamoorthi
9.Thiru.P.Mathiyazhagan
10.Tmt.R.Shanthi
11.Thiru.V.Sekar
12.Thiru M.Vijayan
13.Thiru A.Suresh Ananth
14.Thiru A.Rajeshkannan
15.Tmt.V.M.Jayapriyam
16,Tmt.S.Devi
17.Thiru.M.Sivakumar .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the concerned records relating to the impugned promotion panel order Na.Ka.No.G2/3814/2020 dated 12.11.2020 passed by the 2nd respondent and quash the same insofar as it includes the respondents 3 to 17 and consequently directing the 2nd respondent to promote the petitioner as P.G. Assistant with all consequential monetary and other service benefits.

For Petitioner : Mr.M.Gnanasekar

For Respondents: Mr.T.Chezhiyan,
R1 & R2 Additional Government Pleader

ORDER

The petitioner, challenging the impugned promotion panel drawn by the second respondent dated 12.11.2020, has filed the present writ petition.

2. The petitioner is employed as a Graduate Teacher in English in Government Adi-Dravidar Welfare Higher Secondary School, Semakottai in Cuddalore District. The petitioner possess B.A. English and also P.G. Degree in English and as per G.O. Ms.No.14, School Education [SE2(1)] dated 30.01.2020, the petitioner is fully eligible for promotion to the post of Post Graduate Assistant. The second respondent has published the panel for promotion to the post of P.G. Assistant on 12.10.2020, in which cross major candidates were also included in the promotion panel and in this regard, the petitioner has also submitted his objections on 19.10.2020 to the second respondent requesting to delete the cross major candidates and since the petitioner's objection was not considered, the petitioner has filed the present writ petition.

3. Even though the petitioner has challenged the impugned promotion panel, after perusal of the records, notice has been served to the private respondents. At this stage, the learned counsel for the petitioner prays that appropriate direction may be given to the respondents to consider the objection of the petitioner and thereafter to pass appropriate orders.

4. Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents 1 and 2 submitted that the objection submitted by the petitioner will be duly considered, after giving opportunity to the parties concerned.

5. In view of the above, this Court directs the second respondent to consider the petitioner's objection dated 19.10.2020 and after affording opportunity to the parties concerned, shall pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

Jvm

To

1.The Secretary to Government,
Education Department,
Fort St.George,
Chennai-600 009.

2.The Commissioner,
Adi-Dravidar Welfare Department,
Chepauk, Chennai-600 005.

+1cc to Mr.M.Gnanasekar, Advocate SR.No.39376

+1cc to Government Pleader SR.No.39899

W.P.No.18699 of 2020

BR(CO)
GMY(15/07/2022)