



W.P.(MD)No.20738 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.20738 of 2022

A.Maheswari

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of School Education,
St. George Fort, Chennai – 600 009.
- 2.The Director of Elementary Education,
DPI Campus, Chennai – 600 006.
- 3.The Joint Director of Elementary Education,
DPI Campus, Chennai – 600 006.
- 4.The Chief Educational Officer,
Chinna Chokkikulam, Tallakulam,
Madurai – 625 002.
- 5.The District Educational Officer,
District Educational Office Campus,
Melur, Madurai District.



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6.The Block Educational Officer,
The Block Educational Office Campus,
Madurai West Union, Madurai District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fifth respondent to grant promotion to the petitioner and appoint her to the vacant post of B.T.Assistant (Science) at Panchayat Union Middle School, Kannanendhal, Madurai West, Madurai District.

For Petitioner	: Mr.K.S.Vamsidhar
For Respondents	: Mr.T.Amjad Khan, Government Advocate

ORDER

This writ petition has been filed for a direction to the fifth respondent, to grant promotion to the petitioner and appoint her in the vacant post of B.T.Assistant (Science) at Panchayat Union Middle School, Kannanendhal, Madurai West, Madurai District.

2. The case of the petitioner is that she was originally appointed as Secondary Grade Teacher on 22.07.1999. Subsequently, she was working in various schools and on 13.06.2018, the petitioner was



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promoted to the post of B.T.Assistant (Science) and posted at Panchayat Union Middle School, Sikkandarchavadi, Madurai West, Madurai District. However, the fifth respondent vide order, dated 20.09.2018, reverted the petitioner back to the post of Secondary Grade Teacher. Hence, the petitioner filed a writ petition before this Court in W.P(MD)No.14780 of 2019. This Court vide order, dated 03.07.2019, directed the fifth respondent to consider the representation of the petitioner, dated 26.06.2019 and pass orders on or before 08.07.2019. However, the fifth respondent rejected the petitioner's request stating that there was no vacancy in that school. Challenging the same, the petitioner has filed a writ petition in W.P(MD)No.16596 of 2019, wherein this Court directed the petitioner to make a fresh representation to the fifth respondent and directed the fifth respondent to consider the same and pass appropriate orders within eight weeks. Pursuant to the same, the petitioner has also made a fresh representation before the fifth respondent. However, till date, no order was passed. Hence, the petitioner has filed this writ petition with the aforesaid prayer.



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3. The learned Government Advocate appearing for the respondents, on instructions, would submit that the petitioner is placed in Rank No.1 in the promotion list and as soon as the vacancy arises, the petitioner's candidature will be considered for promotion to the post of B.T.Assistant.

4. In view of the undertaken given by the learned Government Advocate appearing for the respondents, if there is any vacancy in the post of B.T.Assistant, the fifth respondent shall consider the petitioner's candidature and fill up the vacancy, within a period of six weeks from the date of vacancy.

5. With the above direction, this writ petition is disposed of.
No Costs.

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pm

Index:Yes/No

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M.DHANDAPANI,J.

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