



W.P.No.1436 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.1436 of 2022 & WMP.No.1586 of 2022

C.Velavendan

... Petitioner

Vs

1. Government of Tamil Nadu
Represented by its Secretary,
Department of School Education,
Fort St. George, Chennai – 600 009.
2. Government of Tamil Nadu
Represented by its Secretary,
Department of Welfare of Differently Abled Persons,
Fort St. George, Chennai – 600 009.
3. The Commissioner,
Welfare of the Differently Abled Persons,
26MS+9PH, K.K.Nagar, Chennai – 600 083.
4. The Commissioner,
School Education, DPI Campus, Chennai – 600 006.
5. The Joint Director, [Personnel],
School Education, DPI Campus, Chennai – 600 006. ... Respondents



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Prayer:- Writ Petition filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents herein to implement the reservation in promotion for the persons with disabilities under the provision of the Person with Disabilities Act (Equal opportunity protection of Rights and full Participation) Act 1995 (1 of 1996) and the Right of person Disabilities Act 2016 as per the Judgment of the Hon'ble Supreme court in civil Appeal No.59 of 2021 vide order dated 28.06.2021 and thereby promote the petitioner to the post of PG Assistant with effect from 1.1.2009 and promote the Petitioner to the post of Higher Secondary Headmaster with effect from 1.1. 2014 with all monetary and service benefits.

For petitioner : Ms.Dahkshayani Reddy, Sr. Counsel,
for Ms.Suneetha

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

This Writ Petition has been filed to direct the respondents to implement the reservation in promotion for the persons with disabilities under the provision of the Person with Disabilities Act (Equal opportunity protection of Rights and full Participation) Act 1995 (1 of 1996) and the Right of person Disabilities Act 2016 as per the Judgment of the Hon'ble Supreme court in civil Appeal No.59 of 2021 vide order dated 28.06.2021 and thereby



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promote the petitioner to the post of PG Assistant with effect from 1.1.2009 and promote the Petitioner to the post of Higher Secondary Headmaster with effect from 1.1. 2014 with all monetary and service benefits.

2. When the matter is taken up today, the learned Special Public Prosecutor appearing for the first respondent submitted that pursuant to the earlier Order passed by this Court, the High Level Committee has been constituted and almost 90% of the work has been completed and the entire issue will be finalized within a period of three months. After the report of the Committee, the policy decision shall be taken by the Government.

3. In such view of the matter, the respondents are directed to strictly follow the dictum of the Apex Court based on the report of the High Level Committee.

4. With the above direction, this Writ Petition is disposed of. No cost. Consequently, connected miscellaneous petition is closed.

25.09.2023



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Index: Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Secretary,
Department of School Education,
Fort St. George, Chennai – 600 009.
2. The Secretary,
Department of Welfare of Differently Abled Persons,
Fort St. George, Chennai – 600 009.
3. The Commissioner,
Welfare of the Differently Abled Persons,
26MS+9PH, K.K.Nagar, Chennai – 600 083.
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N.SATHISH KUMAR, J.

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