



W.P.No.8397 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.8397 of 2018
and
W.M.P.No.10358 of 2018

V.Rani

...Petitioner

-Vs-

1.The Director of Elementary Education,
O/o The Directorate of Elementary Education,
DPI Campus, College Road,
Chennai.

2.The District Elementary Education Officer,
O/o The District Primary Education,
Namakkal, Namakkal District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the 2nd respondent's proceedings issued vide Na.Ka.No. 1147/A2/2018 dated 14.03.2018 and quash the same and in consequence to that passed an order of direction, directing the 2nd respondent to promote this petitioner as B.T.Assistant in any one of the existing vacancy



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For Petitioner : Mr.K.Anbarasan

For Respondents : Mr.M.Shahjahan,
Special Government Pleader

ORDER

Heard Mr.K.Anbarasan, learned counsel for the petitioner and Mr.M.Shahjahan, learned Special Government Pleader for the respondents.

2. When the petitioner herein sought for promotion to the post of B.T.Assistant, her request came to be rejected through the impugned order dated 14.03.2018, stating that another Secondary Grade Teacher had filed a writ petition in W.P.No.22103 of 2015, in which there is an order of interim stay and therefore, her promotion cannot be considered. The same reason has also been assigned in the counter affidavit filed by the second respondent, as pointed by the learned Special Government Pleader.

3. Today, when the matter was called, the learned counsel for the petitioner produced a copy of the final orders passed in W.P.No.22103 of 2015, dated 25.08.2022, in which the respondents were directed to follow the procedures for filling up the vacancy in the cadre of B.T.Assistant.



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4. In view of the final disposal of W.P.No.22103 of 2015, the respondents may not have any impediment in filling up the post of B.T.Assistant, by considering the petitioner's candidature also, together with other eligible candidates, including the petitioner in W.P.No.22103 of 2015.

5. In the light of the above observations, the impugned order dated 14.03.2018 is quashed. Consequently, there shall be a direction to the respondents herein to fill up the post of B.T.Assistant, by following the procedures as contemplated under the provisions of the Act and the Rules and by considering the names of eligible candidates, including the petitioner herein. Such an exercise shall be completed within a period of three months from the date of receipt of a copy of this order. Accordingly, the writ petition stands ordered. No costs. Consequently, connected miscellaneous petition is closed.

02.02.2023

Index:Yes/No

Speaking order/Non-speaking order

hvk

Note: Issue order copy on 09.02.2023



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To

- 1.The Director of Elementary Education,
O/o The Directorate of Elementary Education,
DPI Campus, College Road,
Chennai.
- 2.The District Elementary Education Officer,
O/o The District Primary Education,
Namakkal, Namakkal District.



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M.S.RAMESH,J.

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