



WEB COPY



W.P.No.18946 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18946 of 2023

S.Karuppusamy

...Petitioner

Vs

1.The Commissioner,
Commissionerate of School Education,
D.P.I. Campus, College Road,
Chennai – 600 006.

2.The Chief Educational Officer,
Salem District, Salem - 636 001.

3.The District Educational Officer,
Sankagiri Education District,
Sankagiri - 637 301,
Salem District.

4.The Secretary,
Vaidheeswara Higher Secondary School,
Mettur Dam Taluk and Post,
Salem District - 636 402.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3



W.P.No.18946 of 2023

received proposal from the 4th respondent school for approval of promotion of the petitioner as P.G. Assistant, based on the order of promotion issued by the 4th respondent in C.No.10268/VHSS/2015-16 dated 23.11.2015 and consequently approve the promotion of the petitioner as P.G. Assistant with effect from 11.06.2016 with fixation of pay in the post of P.G. Assistant (Biology) from March 2017 with consequential and other attendant benefits, including payment of arrears of salary.

For Petitioner : Mr.S.Nedunchezhiyan

For R1 to R3 : Mr.S.Prabhakaran
Government Advocate

ORDER

Heard Mr.S.Nedunchezhiyan, learned counsel for the petitioner and Mr.S.Prabhakaran, learned Government Advocate for the respondents 1 to 3.

2. In view of the order to be passed in this Writ Petition, no prejudice would be caused to the 4th respondent. Hence, notice to the said respondent is hereby dispensed with.



W.P.No.18946 of 2023

WEB COPY

3. The prayer sought for in the present Writ Petition is for a direction to the respondents 1 to 3 to approve the petitioner's promotion as P.G. Assistant with effect from 11.06.2016, based on the proposal submitted by the fourth respondent School, together with consequential service and monetary benefits.

4. This Court is of the view that such a claim requires to be considered by the respondents and this Court may not be justified in stepping into the shoes of the respondents to consider the same. Nevertheless, if the proposal is directed to be disposed of within a stipulated time, the ends of justice could be secured.

5. In the light of the above observation, the respondents 1 to 3 herein are directed to dispose of the proposal forwarded by the fourth respondent School, seeking for approval of the petitioner's promotion in the post of P.G. Assistant, within a period of eight weeks from the date of receipt of a copy of this order.



WEB COPY



W.P.No.18946 of 2023

M.S.RAMESH,J.

hvk

6. With the above direction, the Writ Petition stands disposed of.

No costs.

27.06.2023

Index:Yes/No

Speaking order/Non-speaking order

hvk

To

1.The Commissioner,
Commissionerate of School Education,
D.P.I. Campus, College Road,
Chennai – 600 006.

2.The Chief Educational Officer,
Salem District, Salem - 636 001.

3.The District Educational Officer,
Sankagiri Education District,
Sankagiri - 637 301,
Salem District.

W.P.No.18946 of 2023