



W.P.No.6433 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6433 of 2016

and

W.M.P.No.5716 of 2016

S.Santhi

...Petitioner

Vs

1. Director of Elementary Education,
College Road, Nungambakkam,
Chennai - 600 006.

2. District Elementary Educational Officer,
Villupuram District, Villupuram.

3. Assistant Elementary Educational Officer,
Gingee Range, Gingee - 604 202,
Villupuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein by including her name in the panel for promotion to the post of Primary School Headmaster for the year 2015-2016 to promote the petitioner to the post of Primary School Headmistress.



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For Petitioner : Mr.J.Selvarajan

For Respondents : Mr.T.Chezhiyan,
Additional Government Pleader

ORDER

Heard Mr.J.Selvarajan, learned counsel for the petitioner and Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents.

2. Pursuant to the earlier orders passed by this Court in the petitioner's case in W.P.No.19397 of 2009, dated 28.01.2010, the second respondent herein, through his proceedings dated 23.03.2015, had passed orders regularizing the petitioner's period of service between 16.06.1997 and 01.06.2008. The petitioner now claims that the aforesaid period was not taken into account for treating it as service period.

3. Apparently, such a claim is contrary to the second respondent's own proceedings dated 23.03.2015, which enables the period between 16.06.1997 and 01.06.2008 to be counted as a service period and therefore, the claim of the petitioner for the service benefits during this



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period requires to be positively considered by the respondents, in view of the earlier orders passed by this Court in W.P.No.19397 of 2009, as well as the proceedings of the second respondent dated 23.03.2015.

4. In the light of these observations, the petitioner is granted liberty to make a fresh representation to the first respondent ventilating his grievances and on receipt of the the same, the first respondent shall consider it on its own merits and pass appropriate orders, in the light of the orders passed by this Court in W.P.No.19397 of 2009, as well as the proceedings of the second respondent dated 23.03.2015, within a period of six (6) weeks from the date of receipt of the representation.

5. The writ petition stands ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

23.01.2023

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

hvk

M.S.RAMESH,J.



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WEB COPY To

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