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WP.No.27463 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.27463 of 2023

Tamil Nadu Higher Secondary Headmaster
Association
Represented by its State Legal Secretary
R.Srinivasan, Headmaster
Government Boys Higher Secondary School
Royakottai – 635 116

.. Petitioner

Versus

1.The Principal Secretary
School Education Department
Secretariat, Chennai – 600 009

2.The Commissioner
Commissionerate of School Education
DPI Campus
Chennai – 600 006

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner's Association dated 17.07.2023 and accordingly remove all the anomalies pointed out by the petitioner and grant equal opportunities for promotion to the members of the petitioner's association from the post of Higher Secondary Headmasters from Tamil Nadu Higher Education Secondary Service.

For Petitioner : Mr.Suneetha

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader



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ORDER

This writ petition has been filed seeking to direct the respondents to consider the representation of the petitioner's Association dated 17.07.2023 and accordingly remove all the anomalies pointed out by the petitioner and grant equal opportunities for promotion to the members of the petitioner's association from the post of Higher Secondary Headmasters from Tamil Nadu Higher Education Secondary Service.

2. Though this prayer is couched as if there is anomaly in respect of promotion. On perusal of the entire materials, particularly, affidavit makes it clear that the petitioner is, in fact, trying to implement the Jagannathan Committee Report. It is relevant to note that similar prayer though differently worded, the petitioner has sought for a direction in W.P.No.10927 of 2016, to consider the representation of the petitioner with regard to the Jagannathan Committee formed under G.O.Ms.No.136, School Education Department dated 17.06.2009. This Court, in para 4, of the Order dated 06.09.2022 has held as follows:

“4. Now, Jagannathan Committee has been constituted for the purpose of considering the promotional avenues and opportunity and rationalize certain aspects. It is for the Government to look into the aspect and implement reformation, if any recommended. Reformation in the department is demanding to suit the current circumstances. It is needless to state that the Government has to initiate all steps to ensure that



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anomalies and irregularities in the matter of promotion are rectified and service conditions of the employees are also protected in the manner known to law.

5. This being the factum, the petitioner cannot claim finalization of Committee's report as a matter of right and it is for the Government to initiate steps in the manner known to law.”

3. When the Court has already disposed of the writ petition by order dated 06.09.2022, now, another writ petition has been filed as if the prayer is entirely different from the report of the Jagannathan Committee. Such view of the matter, I do not find any merits in this case and this writ petition stands dismissed. No costs.

20.09.2023

dhk

Internet : Yes/No
Index : Yes/No
Neutral Citation: Yes/No

To

1. The Principal Secretary
School Education Department
Secretariat, Chennai – 600 009

2. The Commissioner
Commissionerate of School Education
DPI Campus
Chennai – 600 006



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N.SATHISH KUMAR, J.

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