



WEB COPY

W.P.No.31337 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

**W.P.No.31337 of 2022 &
W.M.P.No.30782 of 2022**

A.Raja

... Petitioner

VS.

- 1.The State of Tamil Nadu,
Represented by Principal Secretary to the Government,
(School Education Department),
Secretariat,
Chennai - 600 009.
- 2.The Commissioner of School Education,
DPI Building,
Nungambakkam,
Chennai - 600 006.
- 3.The Joint Director (Administration),
Directorate of Elementary Education,
DPI Buildings,
Nungambakkam,
Chennai - 600 006.
- 4.The District Educational Officer,
Office of Salem District (Rural),
Salem District, Salem.



5.The Chief Educational Officer,
Salem District, Salem.

6.The Block Educational Officer,
Panamarathupatti Union,
Salem District - 636 204.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Certiorarified Mandamus calling for the records on the file of the fourth respondent in proceedings No.Oo.Mu.8568/A4/2021 dated 20.01.2022, to quash the same and to direct the respondents herein to issue appropriate orders for inclusion of the names of the Elementary School Headmasters / Secondary Grade Teachers who are qualified in the same subject in which they have acquired B.Ed and underwent UG qualification also, in the list fit for appointment as of BT Assistant in Panamarathupatti Union, Salem Rural Educational District, as on 01.01.2021 and to remove all those persons who have acquire B.A. degree in cross major subjects and to accordingly issue panels and orders for promotion.

For Petitioner : Mr.M.Ravi

For Respondents 1 to 6 : Ms.M.Jayanthi,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the fourth respondent dated 20.01.2022.



2. The petitioner's request for refixation of seniority has been returned under the impugned proceedings dated 20.01.2022 on the ground that he has to produce the relevant Government Orders. After the passing of the impugned order, the petitioner has given a representation on 08.02.2022 to the respondents giving details of the Government Orders and other proceedings in support of his contention that his seniority will have to be re-fixed.

3. Heard Mr.M.Ravi, learned counsel for the petitioner and Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents.

4. Admittedly, the impugned order has not been passed on merits. But the respondents have returned the representation of the petitioner for the reason stated supra.

5. No prejudice would be caused to the respondents, if the petitioner's representation dated 08.02.2022 referred to supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.



WEB COPY

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 08.02.2022 seeking for re-fixation of his seniority and for being appointed as B.T. Assistant (Science) at Panamarathupatti Union, Salem Rural Educational District, within a period of twelve weeks from the date of receipt of a copy of this Order.

7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

11.01.2023

nl

Index: Yes/No

Internet: Yes/No

Speaking/Non-speaking orders

Neutral citation: Yes/No



To

1. The State of Tamil Nadu,
Represented by Principal Secretary to the Government,
(School Education Department),
Secretariat,
Chennai - 600 009.
2. The Commissioner of School Education,
DPI Building,
Nungambakkam,
Chennai - 600 006.
3. The Joint Director (Administration),
Directorate of Elementary Education,
DPI Buildings,
Nungambakkam,
Chennai - 600 006.
4. The District Educational Officer,
Office of Salem District (Rural),
Salem District, Salem.
5. The Chief Educational Officer,
Salem District, Salem.
6. The Block Educational Officer,
Panamarathupatti Union,
Salem District - 636 204.



WEB COPY

W.P.No.31337 of 2



ABDUL QUDDHOSE, J.

nl

W.P.No.31337 of 2022

11.01.2023