



W.P.(MD)No.867 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.867 of 2023

S.Udhayakumar

... Petitioner

Vs.

1.The Commissioner,
School Education, DPI Campus,
Chennai – 600 006.

2.The Joint Director (Higher Secondary),
School Education, DPI Campus,
Chennai – 600 006.

3.Teachers Recruitment Board,
Represented by its Chairman,
EVK Sampath Maaligaai,
DPI Campus, College Road,
Chennai – 600 006.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to prepare the panel list of Post Graduate Assistant for the academic year 2021-2022 to be promoted to the post of High School Head Master in the light of the order passed by this Court in W.P.No.13728 of 2022, dated 29.08.2022 by considering the petitioner's representation dated 28.11.2022 in accordance with law.



W.P.(MD)No.867 of 2023

For Petitioner : Mr.D.Shanmugaraja Sethupaathi
For R1 & R2 : Mr.S.Saji Bino,
Special Government Pleader
For R3 : Mr.V.R.Shanmuganathan

ORDER

This writ petition has been filed for a direction to the respondents to prepare the panel list of Post Graduate Assistant for the academic year 2021-2022 to be promoted to the post of High School Headmaster in the light of the order passed by this Court in W.P.No.13728 of 2022, dated 29.08.2022, by considering the petitioner's representation, dated 28.11.2022, in accordance with law.

2. The case of the petitioner is that the petitioner was appointed as a Post Graduate Assistant vide proceedings of the third respondent, dated 25.06.2004, on consolidated pay. Subsequently, the services of the petitioner was regularized vide proceedings of the second respondent dated 28.08.2006. While being so, the Commissioner of School Education has issued proceedings to all the Chief Educational Officers and District Educational Officers for taking steps for preparing the panel



W.P.(MD)No.867 of 2023

WEB COPY

of Post Graduate Assistant Teachers to be promoted as Headmaster of Higher Secondary School. Subsequently, the Commissioner of School Education has issued the panel list, dated 10.01.1022. While so, one Mr.A.Ravi filed a writ petition in W.P.No.13728 of 2022, alleging that the seniority list was prepared on the basis of communal roster instead of taking into account the mark obtained by the candidates in the competitive examinations, wherein, this Court vide order dated 28.11.2022, directed the respondents therein to draw a seniority list for the post of Post Graduate Assistant for the academic year 2021-2022. As the said seniority list was not prepared, the petitioner made a representation to the respondents on 28.11.2022. However, the same was not considered so far. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to dispose of the representation of the petitioner, dated 28.11.2022, on merits and in accordance with law, within a specified period.



W.P.(MD)No.867 of 2023

WEB COPY

4. The learned Special Government Pleader appearing for the respondents 1 and 2, has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 28.11.2022 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.
No costs.

12.01.2023

pm

NCC:Yes/No

Index:Yes/No



W.P.(MD)No.867 of 2023

To
WEB COPY

- 1.The Commissioner,
School Education, DPI Campus,
Chennai – 600 006.

- 2.The Joint Director (Higher Secondary),
School Education, DPI Campus,
Chennai – 600 006.



WEB COPY



W.P.(MD)No.867 of 2023

M.DHANDAPANI, J.

pm

W.P.(MD)No.867 of 2023

12.01.2023