



W.P.(MD)No.1936 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1936 of 2023

and

W.M.P.(MD).No.1714 of 2023

R.Malarvizhi

... Petitioner

Vs.

- 1.The State of Tamil Nadu
represented by its Secretary to Government,
School Education Department,
Secretariat,
Chennai.
- 2.The Chief Educational Officer,
Office of the Chief Educational Office,
Virudhunagar,
Virudhunagar District.
- 3.The District Educational Officer,
Virudhunagar,
Virudhunagar District.
- 4.The Secretary,
Sivanthipatty Nadar Higher Secondary School,
Mamsapuram,
Srivilliputur Via.,
Virudhunagar District.

... Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 4th respondent to promote the petitioner as P.G.Assistant (Maths) in the 4th respondent School, in the light of Rule 15 (4) of the Tamil Nadu Recognized Private Schools (Regulation) Rules, 1974 and by considering the representation preferred by the petitioner to the 4th respondent dated 27.05.2022.

For Petitioner : Mr.S.Mohamed Suhail
for M/s. Ajmal Associates

For R1 to R3 : Mr.S.Saji Bino
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the 4th respondent to promote the petitioner as P.G.Assistant (Maths) in the 4th respondent School, in the light of Rule 15 (4) of the Tamil Nadu Recognized Private Schools (Regulation) Rules, 1974 and by considering the representation preferred by the petitioner to the 4th respondent, dated 27.05.2022.



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2. The case of the petitioner is that she was initially appointed as B.T.Assistant (Maths) in the fourth respondent School in the year 2001 and her appointment was also duly approved by the third respondent. While so, the post of P.G.Assistant (Maths) fell vacant on 01.07.2019 and the petitioner is eligible to be promoted to the post of P.G.Assistant (Maths). In this regard, the petitioner has approached the fourth respondent on 27.05.2022, requesting him to give promotion to the post of P.G.Assistant (Maths). However, the same was not considered. Hence, the petitioner has filed the present writ petition.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the fourth respondent to consider the petitioner's representation dated 27.05.2022 and pass appropriate orders within a reasonable time as fixed by this Court.

4. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3.



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5. Since no adverse order is going to be passed as against the fourth respondent, notice to the fourth respondent is dispensed with.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the fourth respondent to consider the petitioner's representation dated 27.05.2022 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

01.02.2023

NCC: Yes/No
Index : Yes / No
Speaking Order : Yes / No

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To

- 1.The Secretary to Government,
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Virudhunagar District.
- 3.The District Educational Officer,
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M.DHANDAPANI,J.

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