



W.P(MD)No.14399 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14399 of 2020

and

W.M.P(MD)Nos.12044 and 12045 of 2020

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... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
School Education Department,
Secretariat,
Chennai- 600 009.

2.The Director of Elementary Education,
O/o. The Director Elementary Education,
DPI Compound,
College Road, Chennai -6.

3.The District Educational Officer,
O/o.The District Educational Office,
Collectorate Complex,
Virudhunagar Educational District,
Virudhunagar District.

4.The Block Educational Officer,
O/o.the Block Educational Office,
Kariapatti Union,
Virudhunagar District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorified Mandamus calling for the records relating to the impugned order passed by the third respondent in his proceedings in அதிமு.எண்.91/அ3/2020 dated Nil.02.2020 (Signed on 12.02.2020) and quash the same as illegal and consequentially to direct the respondents to grant selection grade in the cadre of Head Master of Middle School on completion of ten years of service within the time that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal ssociates

For Respondents : Mr.N.Satheeshkumar,
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The only issue that calls for consideration is whether the petitioner is entitled to conferment of selection grade in the post of Middle School Headmaster. Though there is some controversy as regards the petitioner's entitlement to selection grade in the post of Primary School Headmaster, it is beyond dispute that the petitioner became a Middle school Headmaster on 05.11.2007. On expiry of ten years in the said post the petitioner became entitled to the selection grade. Merely because some controversies relating to



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the petitioner's service in the grade of Primary School Headmaster is remaining unresolved, conferment of selection grade in the promotion post cannot be postponed.

3. The impugned order proceeds on a wrong premise. It is set aside. The third respondent is directed to confer selection grade in favour of the petitioner in the post of middle school Headmaster with effect from 05.11.2017. The writ petition is allowed. It is ofcourse open to the authorities to pass appropriate order on merits and in accordance with law as regards the petitioner's status in the grade of primary school Headmaster. No costs. Consequently, connected miscellaneous petitions are closed.

14.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

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G.R.SWAMINATHAN, J.

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To:

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