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W.P.(MD)No.8739 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.8739 of 2016

J.Mary Grace

.

... Petitioner

vs.

- 1.The Director,
Tamil Nadu Elementary Education,
DMS Complex,
Chennai-01.
- 2.The District Elementary Educational
Officer,
RMS Road, Madurai-1.
- 3.The Additional Assistant- Elementary
Educational Officer,
Thirumangalam, Madurai District.
- 4.The Secretary/ Correspondent,
Kasthuri Ba Gandhi Primary School,
No.88, Munsif Court Road,
Thirumangalam,
Madurai District-625 706.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records from the 2nd respondent in his proceedings in Na.Ka.No. 127/அ3/2016, dated 16.03.2016 and to quash the same and consequently, to direct respondents 1 to 3 to approve the promotion of the petitioner as Headmistress in the 4th respondent school in pursuant the promotion order passed by the 4th respondent, dated 27.12.2011.

For Petitioner : Mr.Radhi Sathish

For Respondents : Mr.V.Om Prakash
Government Advocate

ORDER

This writ petition is filed writ of Certiorarified Mandamus, to quash the 2nd respondent in his proceedings, dated 16.03.2016 and consequently, to direct respondents 1 to 3 to approve the promotion of the petitioner as Headmistress in the 4th respondent school in pursuant the promotion order passed by the 4th respondent, dated 27.12.2011.



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2.The impugned order states that the Secretary has not passed any promotion order. The petitioner has enclosed the promotion order passed by respondent, dated 27.12.2011. The impugned order states that the petitioner was serving as in-charge Headmistress from 01.09.2006 and hence, the petitioner is not entitled to approve the promotion order. But the impugned order has not taken into consideration of the order passed by the 4th respondent, dated 27.12.2011.

3. Therefore, this Court is quashing the impugned order. The 2nd respondent is directed to consider the promotion order, dated 27.12.2011 passed by the 4th respondent and pass appropriate approval orders, if otherwise the petitioner is entitled to. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. If the petitioner is entitled to promotion, the consequential benefits shall also be disbursed.



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4. With the above said observation, the writ petition is allowed. No

costs.

Index : Yes / No

06.04.2023

Internet : Yes

NCC : Yes / No

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