



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.8949 of 2021

Dr.P.Kumar

...

Petitioner

versus

- 1.The Government of Tamil Nadu,
Represented by the Secretary -
School Education Department,
Secretariat, St. George Fort,
Chennai - 600 009.
- 2.The Director of School Education,
Directorate of School Education,
College Road, Chennai- 600 006.
- 3.The Secretary,
Tamil Nadu Public Service Commission,
Chennai - 600 003.
- 4.Director of Public Libraries (In charge),
No.73/1, Anna Salai,
Chennai - 600 002.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 30.07.2019 and also direct the respondents 1 to 3 to consider the petitioner's name for the promotion of the Director of Public Libraries as per eligibility and seniority.



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For Petitioner : M/s.S.Suseela Devi
For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

Heard M/s.S.Suseela Devi, learned counsel for the petitioner and Mr.P.Gurunathan, learned Additional Government Pleader for the respondents and perused the materials available on record.

2. The petitioner who is presently working as a Joint Director in the School Education Department has stated that he is eligible to be promoted to the post of Director of Public Libraries. But he has not been considered despite there is a vacancy available to the post of Director of Public Libraries and hence he has filed this Writ Petition.

3. M/s.S.Suseela Devi, learned counsel for the petitioner submitted that the petitioner claims that he is a senior person, who is eligible to be promoted to the post of Director of Public Libraries but the



respondents did not consider the petitioner's request and the petitioner's representation dated 30.07.2019 also remains not considered.

4. Mr.P.Gurunathan, learned Additional Government Pleader for the respondents submitted that the post of Director of Public Libraries itself has been sanctioned only in accordance with Rule 4(2) of the IAS (Cadre) Rules, 1954 and in this regard, Government Order has also been issued in G.O.Rt.No.2874, Public (Special-A) Department, dated 12.07.2023. It is further submitted that the post of Director of Public Libraries can be filled up only by those persons from IAS cadre and not from any other cadres.

5. The post of Director of Public Libraries existed even prior to the Government Order issued in G.O.Rt.No.2874, Public (Special-A) Department, dated 12.07.2023. There is no reason stated why such post be filled up only by the IAS Officer and not from the other rank promotees. Hence, the respondents shall consider the representation of the petitioner dated 30.07.2019 and pass appropriate orders by considering his seniority in a reasonable manner within a period of four (4) weeks from the date of receipt of a copy of this order.



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With the above observation, this Writ Petition is **disposed**. No costs.

11.03.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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R.N.MANJULA, J.

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