



WEB COPY



W.P.No.18947 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.18947 of 2022
and W.M.P.Nos.18279, 18281, 18284 of 2022

1. S.Gokila
2. G.Subashini
3. S.Anubama

...Petitioners

-Vs -

1. The Commissioner of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai – 600 006.
2. The Joint Director (Personnel),
Commissioner of School Education,
DPI Campus, College Road,
Chennai – 600 006.
3. The Chief Educational Officer,
Coimbatore District,
Coimbatore.
4. The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.
5. The Chief Educational Officer,
Thiruvallur District,
Thiruvallur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India



W.P.No.18947 of 2022

praying to issue a Writ of Certiorarified Mandamus, calling for the records of the proceedings of the second respondent dated 30.06.2022 having Ref.No. Na.Ka.No.30277/C3/E2/2021 treating the petitioners as ineligible to be promoted as BT Assistants as on 01.01.2022 for the reason that the respective chief Educational officer Respondents 3 to 5 have issued orders certifying that the petitioners have completed their probation only on 21.04.2022 having reference Mu.Mu.No.5157/A1/2022, 11.04.2022 having reference Mu. Mu. No.2269/2022/A3, and 22.04.2022 having reference Na.Ka.No. 2802/A5/2022 respectively and quash the same and direct the 2nd respondent to treat the petitioner as having completed their probation on 24.11.2021, 22.11.2021 and 01.12.2021 and include the names of the petitioners in the seniority list of candidates eligible for promotion to the post of BT Assistants in various High schools in the state of Tamil Nadu.

For Petitioners : Mrs.Nalinichidambaram,
Senior Counsel
For Ms.C.Uma
For Respondents : Mr.T.Seenivasan
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 30.06.2022, thereby failed to include the petitioners' name in the seniority list of candidates eligible for promotion to the post of B.T. Assistants.

2 The petitioners were appointed as Special Teacher in



W.P.No.18947 of 2022

drawing and sewing. The second respondent issued proceedings dated 13.04.2022, directing the Chief Educational Officer to send the panel list of eligible persons based on the seniority as on 01.01.2022, subject wise for promotion to the post of B.T. Assistants from the post of Secondary Grade Teachers, Physical Teachers and Special Teachers in drawing, sewing and music. Further stated that the applicants should satisfy the educational qualifications specified in G.O.Ms.No.13 School Education Department dated 30.01.2020.

3. The petitioner were applied for promotion to the post of B.T. Assistants including their details viz., the date of completion of probation and their respective basic qualifications. However, by the proceedings dated 30.06.2022, the petitioners were shown in the list of ineligible candidates, for the reason that they had completed their probation from 21.04.2022. Therefore, the petitioners are ineligible to be included in the seniority list of candidates eligible for promotion to the post of B.T. Assistant. Hence, the present writ petition.

4. Heard the learned counsel appearing on either side and



W.P.No.18947 of 2022

perused the materials placed before this Court.

WEB COPY

5. The learned counsel appearing for the petitioners drawn the notice of this Court that the petitioners had joined in their respective post on 25.11.2010, 23.11.2019 and 25.11.2010 respectively. They completed their probation period on 24.11.2021, 22.11.2021 and 01.12.2021 respectively. However, it was informed by an order dated 21.04.2022. Therefore, they are eligible for the promotion to the post of B.T. Assistants. Even according to the respondents, the panel for the post of B.T. Assistants has been prepared from the teachers who have qualification as on 01.01.2022. As far as the petitioners are concerned, they have completed their probation period as on 01.01.2022. Therefore, they are very much qualified for promotion to the post of B.T. Assistant.

6. In view of the above discussions, the impugned order dated 30.06.2022 passed by the second respondent in Ref.No. Na.Ka.No. 30277/C3/E2/2021, is hereby quashed. The second respondent is directed to include the petitioners in the seniority list of candidates eligible for the promotion to the post of B.T. Assistant, forthwith.



W.P.No.18947 of 2022

7. With the above directions, the Writ Petition stands allowed.

Consequently, connected miscellaneous petitions are closed. There shall be no orders as to costs.

08.01.2024
(2/2)

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



W.P.No.18947 of 2022

G.K.ILANTHIRAIYAN. J.

rts

WEB COPY

To

1. The Commissioner of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai – 600 006.
2. The Joint Director (Personnel),
Commissioner of School Education,
DPI Campus, College Road,
Chennai – 600 006.
3. The Chief Educational Officer,
Coimbatore District,
Coimbatore.
4. The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.
5. The Chief Educational Officer,
Thiruvallur District,
Thiruvallur.

W.P.No.18947 of 2022 and
W.M.P.Nos.18279, 18281, 18284 of 2022

08.01.2024
(2/2)