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W.P.No.20968 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.20968 of 2024
and W.M.P.No.22929 of 2024

B.Yogesh Kumar

... Petitioner

-Vs-

1. The District Educational Officer (Elementary),
Gobichettipalayam,
Erode District.

2. The Block Educational Officer,
Thalavadi Block,
Thalavadi,
Erode District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to re-promote and appoint the petitioner as Middle School Headmaster in any one of the vacancies available in Thalavadi Panchayat Union, Erode District by considering the petitioner's representation dated 08.07.2024.

For Petitioner : Mr.C.Munusamy

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader



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ORDER

This Writ Petition has been filed for direction directing the respondents to re-promote and appoint the petitioner as Middle School Headmaster in any one of the vacancies available in Thalavadi Panchayat Union, Erode District by considering the petitioner's representation dated 08.07.2024.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was initially appointed to the post of Junior Secondary Teacher on 20.10.2004 and posted at Panchayat Union Primary School, Olapalayam, Erode District. Thereafter, the petitioner was promoted to the post of Primary School Headmaster on 10.10.2009. Further, he was promoted to the post of Middle School Headmaster on 06.08.2016 and posted at Panchayat Union Middle School, Chikkanandhi, Thalavadi Panchayat Union. While being so, the petitioner was working as Block Educational Officer and wanted to step down to the post of Middle School Headmaster. The petitioner was reverted back to the post of Primary School Headmaster due to non vacancy to the post of Middle School Headmaster.



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4. The learned counsel for the petitioner would submit that now there are so many vacancies in the post of Middle School Headmaster and as such, the petitioner submitted a representation to consider the case of the petitioner for promotion to the post of Middle School Headmaster.

5. The learned Special Government Pleader appearing for the respondents submitted that the feeder category to the post of Middle School Headmaster is only BT Assistant as per G.O.Ms.No.243, dated 21.12.2023. Over all seniority has to be maintained for the feeder categories. Now, the petitioner is working as Primary School Headmaster and as such, the request made by the petitioner cannot be considered.

6. Admittedly, the petitioner was originally promoted to the post of Middle School Headmaster in the year 2016 and he had worked for two years. In the year 2018, since there was no vacancy, he was reverted back to the post of Primary School Headmaster due to his senior's reversion.

7. In view of the above, the first respondent is directed to consider the representation submitted by the petitioner dated 08.07.2024 and pass orders on



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merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

30.07.2024

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation:Yes/No
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To

1. The District Educational Officer (Elementary),
Gobichettipalayam,
Erode District.
2. The Block Educational Officer,
Thalavadi Block,
Thalavadi,
Erode District.



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G.K.ILANTHIRAIYAN, J.

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