



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29827 of 2024

K.Gowri

..Petitioner

Vs.

1. Government of Tamil Nadu,
Represented by Principal Secretary to Government,
School Education Department,
Secretariat, Chennai 600 009.
2. The Director of Elementary Education,
Chennai 600 006
3. The District Educational Officer (Elementary),
Cheyyar, Tiruvannamalai District.
4. The Block Educational Officer II
Arni, Thiruvannamalai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to give promotion to the petitioner as Graduate Teacher (B.T.Assistant) and regularise the period of service of the petitioner from 26.02.2021 in the post of graduate teacher



(B.T.Assistant) instead of Secondary Grade Teacher, re-fix her pay and also Seniority in the post of graduate teacher in the light of W.A.No.2444 of 2018 by considering the petitioner representation dated 10.06.2024 within a limited time frame fixed by this Court.

For Petitioner : Mr.P.Murali
For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader
for R1 to R4

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to consider the representation made by the petitioner on 10.06.2024 wherein the petitioner has sought for promotion as a graduate teacher (B.T.Assistant) and to regularise the period of service of the petitioner from 26.02.2021 in the post of Graduate teacher (B.T.Assistant) instead of Secondary grade teacher and for re-fixation of her pay and fixation of seniority in the post of graduate teacher.

2. Heard Mr.P.Murali, learned counsel for the petitioner and Mrs.S.Mythreye Chandru, learned Special Government Pleader for Respondents 1 to 4.



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3. The case of the petitioner is that she was initially appointed as a Secondary Grade Teacher in the Panchayat union primary school, Devanangulam, Thiruvannamalai District on 06.08.1997. The services of the petitioner was also regularised and her probation was also declared. She was thereafter transferred to the Arni Union and on 23.07.2019, she was promoted as a graduate teacher (B.T.Assistant) at Municipal Middle School, Arni, Thiruvannamalai District.

4. The further case of the petitioner is that one of the Municipality Middle School at Saidai was upgraded as High School, due to which, those persons who were working in that school were transferred to the school in which the petitioner was working. As a consequence, the petitioner was reverted as a Secondary Grade Teacher on 26.02.2021.

5. The grievance of the petitioner is that by the time she was reverted in the year 2021, she had already put in two years of service as graduate teacher (B.T.Assistant) in that school. The petitioner made a representation in this



regard and the same was not considered. The petitioner also relied upon the order passed by this Court with respect to a similarly placed person which resulted in the order passed by the Government in GO (4D) No.31 dated 04.12.2014. The petitioner is seeking for similar protection in this case. The petitioner is also relying upon several such orders passed by this Court. The petitioner made a final representation on 10.06.2024 requesting for promoting the petitioner as a Graduate teacher (B.T.Assistant) and to regularise her period of service from 26.02.2021 and to extend all the attendant benefits. Since the same was not considered, the present writ petition has been filed before this Court.

6. Taking into consideration the facts and circumstances of the case and the various orders passed by this Court and also the order passed by the Division Bench in W.A.No.2444 of 2018 dated 10.06.2024, there shall be a direction to the 3rd respondent to deal with the representation made by the petitioner on 10.06.2024 and pass a final order within a period of six weeks from the date of receipt of a copy of this order.



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7. The petitioner is directed to make a fresh representation to the 3rd respondent along with all the relevant documents and also a copy of this order.

8. This writ petition is disposed of with the above directions. No costs.

14.10.2024

Internet : Yes/No
Index : Yes/No
Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.

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To

1. Government of Tamil Nadu,
Represented by Principal Secretary to Government,
School Education Department,
Secretariat, Chennai 600 009.
2. The Director of Elementary Education,
Chennai 600 006
3. The District Educational Officer (Elementary),
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