



W.P.No.33126 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 13.11.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE V. BHAVANI SUBBAROYAN**

**W.P.No.33126 OF 2024**

M. Narayana Kumar

... Petitioner

Vs.

1. The District Collector,  
Thiruvannamalai District
2. The Secretary to Government,  
Department for the Welfare of Schedule  
Caste and Schedule Tribes,  
Government of Tamilnadu,  
Secretariat, Chennai 600 009.
3. The Commissioner,  
Commission for the Welfare of  
Schedule Caste and Schedule Tribes,  
Chennai.
4. The Director,  
Department for the Welfare of  
Schedule Caste and Schedule Tribes,  
Government of Tamilnadu,  
Chepauk, Chennai 600 005.
5. The District Welfare Officer for  
Schedule Caste and Schedule Tribes,  
Thiruvannamalai District.
6. The Special Tahsildhar,  
The Commissioner for the welfare



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of Schedule caste and Schedule Tribes,  
Thiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to consider the petitioner's service way back from the year of 2001 as 'Cook' and promote and transfer him to the post of warden, Office Assistant or any other similar cadre in concurrence with the petitioner's date of appointment with full service benefits and all other attendant benefits considering the petitioner's educational qualification.

For Petitioner : Mr.T.K.S.Gandhi

For Respondents: Mr.Yogesh Kannadasan,  
Spl. Govt. Pleader

### **ORDER**

This writ petition is filed by the petitioner seeking a direction to the respondents to consider the petitioner's service way back from the year of 2001 as 'Cook' and promote and transfer him to the post of warden, Office Assistant or any other similar cadre in concurrence with the petitioner's date of appointment with full service benefits and all other attendant benefits



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considering the petitioner's educational qualification.

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2. According to the petitioner, he was appointed as Cook on 01.09.2001 at Government of Schedule tribes School and Hostel for Primary Education at Kilpaliyapattu, Polur Taluk, Thiruvananmalai District and he was presently posted at GTRB School, Palamarutur, Jamuna Malatur Taluk, Thiruvannamalai District in the same designation. The petitioner completed his graduation during May 2011 and thereafter completed his B.Ed. degree in December 2015 with an intention to secure a job as teacher in school education. Hence, he made a representation dated 12.05.2016 seeking to post him as a Teacher in any of the schools or far away from Thiruvannamalai District, for which, he received a communication from the 4<sup>th</sup> respondent stating that as per the Government Rules and norms there is no provision to appoint the petitioner as a teacher. Later, he came to know about the notification dated 14.01.2020 issued by the 4<sup>th</sup> respondent stating that other than the post of teacher, he may be considered for promotion for the posts of office Assistant and similar other categories. In view of the



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above, the petitioner made application for promoting him for the post of Warden.

3. It is the case of the petitioner that by virtue of the order of this court, similarly placed persons like petitioner were appointed as school teachers and some of them like petitioner were promoted as warden in Backward Classes Welfare Department. Hence, the petitioner being on par with the aforesaid persons is also entitled for the promotion along with all other attendant benefits. It is the grievance of the petitioner that for the past 23 years from the date of his appointment, he has been placed as Cook under SC/ST Welfare Department without any promotion or attendant benefits .Hence, he made several representations to transfer and promote him from the post of cook, but the same was not considered by the authorities concerned. Hence he filed the above writ petition.

4. It is seen from the records that the petitioner has been working as Cook from the date of his appointment for the past 23 years in SC/ST



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Welfare Department and he has also completed his BA (Englis) Degree and B.Ed.Degree. Considering his career, the authorities concerned can transfer or promote him to the post of Warden or Office Assistant or any other similar cadre.

5. Accordingly, this Court, directs the respondents concerned to consider the representation made by the petitioner herein dated 31.07.2024 and pass orders based on the claim made by the petitioner with regard to his educational qualification within a period of sixteen weeks from the date of receipt of a copy of this order .

6. The Writ Petition is disposed of with the above direction. No costs.

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Index: yes/no  
Internet:yes/no  
msr

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**V.BHAVANI SUBBAROYAN, J.**

msr

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