



W.P.No.35057 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.35057 of 2024

S. Vanitha

...Petitioner

Vs

1. The Director of School Education,
Directorate of School Education,
DPI Complex, College Road,
Chennai – 600 006.

2. The Joint Director of School Education(Higher Secondary)
DPI Complex, College Road,
Chennai – 600 006.

3. The Chief Educational Officer,
Office of the Chief Educational Officer,
Ariyalur District.

4. The Head Master,
Government Higher Secondary School,
Ariyalur, Ariyalur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to include the petitioner's name in the panel list prepared on 08.11.2019 for



W.P.No.35057 of 2024

promotion of headmaster with consequential benefits considering the representation of the petitioner dated 30.09.2024 and pass orders.

For Petitioner : Mr. P. Arumugavel

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

ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the first respondent to include the petitioner's name in the panel list prepared on 08.11.2019 for promotion of headmaster with consequential benefits considering the representation of the petitioner dated 30.09.2024 and pass orders.

3. The facts of the case is that the petitioner is working as a Headmaster in the 4th respondent school and she was issued with a charge memo on 27.08.2019 under Rule 17(a) of the Civil Service (Disciplinary and appeal rules) and minor punishment of “Censure” was awarded to



W.P.No.35057 of 2024

her. The sum and substance of the case is that while preparing the panel for promotion of headmaster on 08.11.2019 the petitioner's name was not included and thereafter she was promoted as headmaster on 01.03.2022. The grievance of the petitioner is that on 08.11.2019 i.e when the panel was prepared for the post of headmaster there was neither currency of punishment nor any charges was pending against the petitioner, therefore non-inclusion of the petitioner in the panel was illegal, due to which her seniority is being affected. Hence, the petitioner gave a representation to the the first respondent regarding the said issue on 30.09.2024 and the same is pending without any progress. Hence, this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider petitioner's representation dated 30.09.2024 and pass orders.

5. The learned Additional Government Pleader appearing for the respondents submitted that they will consider the case of the petitioner on merits and in accordance with law.



W.P.No.35057 of 2024

WEB COPY

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 30.09.2024 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above observations this writ petition stands disposed of. No order as to costs.

28.11.2024

Index:Yes/No

Speaking order/Non-speaking order

smn



W.P.No.35057 of 2024

WEB COPY

To.

1. The Director of School Education,
Directorate of School Education,
DPI Complex, College Road,
Chennai – 600 006.
2. The Joint Director of School Education(Higher Secondary)
DPI Complex, College Road,
Chennai – 600 006.
3. The Chief Educational Officer,
Office of the Chief Educational Officer,
Ariyalur District.
4. The Head Master,
Government Higher Secondary School,
Ariyalur, Ariyalur District.



WEB COPY



W.P.No.35057 of 2024

V.BHAVANI SUBBAROYAN,J.

smn

W.P.No.35057 of 2024

28.11.2024