



W.P.(MD)No.17547 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.17547 of 2024 &
W.M.P.(MD)Nos.15090 & 15091 of 2024

P.Dhivya

... Petitioner

vs.

1.The Director of School Education,
DPI Campus,
Nungambakkam,
Chennai.

2.The Chief Educational Officer,
Thanjavur.

3.The District Educational Officer,
Secondary Education,
Kumbakonam,
Thanjavur District.

4.Srinivasa Rao Government Aided Higher Secondary School,
Through its Secretary,
Thiruvaiyaru - 613 204
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus calling for the records relating to the impugned proceedings in O.Mu.No.2893/A2/2024



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dated .06.2024 signed on 04.06.2024 by the 3rd respondent and quash the same and consequently direct the respondents 1 to 3 to approve the promotional appointment of the petitioner as Junior Assistant from the date of her appointment i.e. 01.04.2024 in the 4th respondent school with all service and monetary benefits.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.T.Amjadkhan
Government Advocate
for R1 to R3

ORDER

Heard Mr.V.R.Shanmuganathan, learned counsel appearing for the petitioner and Mr.T.Amjadkhan, learned Government Advocate appearing for the respondents 1 to 3. In view of the limited relief to be granted in this writ petition, notice to the fourth respondent is dispensed with.

2. The petitioner who has been promoted from the post of Water Woman to the post of Junior Assistant has filed this writ petition seeking to quash the impugned proceedings of the third respondent in O.Mu.No. 2893/A2/2024 dated 04.06.2024 and to direct the respondents 1 to 3 to



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approve her promotion as Junior Assistant with effect from i.e., 01.04.2024 in the fourth respondent school with all service and monetary benefits.

3. The petitioner who has been appointed as Water Woman in the fourth respondent School on 02.04.2018 was promoted to the post of Junior Assistant on 01.04.2024. When the fourth respondent School sent a proposal to the third respondent for approval, the same has been returned seeking certain clarifications and additional documents. In the impugned proceedings, it is stated that there are no guidelines in respect of other appointments except the appointments to the post of Headmaster and P.G. Assistant.

4. When the third respondent knows pretty well that the proposal is only in respect of the promotion to the post of Junior Assistant, he has invited a reference to the guidelines issued to the appointments to the post of Headmaster and P.G. Assistant and stated that guidelines in respect of the petitioner's appointment has not been issued.



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It is for the authorities to look upon any Guidelines / Rules / Regulations covering the promotion issue. So far as the other requirements are concerned, it is for the fourth respondent to take a call and re-submit the proposal by attaching necessary documents. Though the petitioner has not received the order impugned, she is the aggrieved party. In such case, the petitioner is at liberty to give a representation to the fourth respondent by attaching a copy of the order and request them to re-submit the proposal enabling them to get approval to her promotion.

5. In view of the above observations, the writ petition is **disposed of** and the petitioner is at liberty to give a representation to the fourth respondent by attaching a copy of this order and request them to re-submit the proposal in order to enable them to get approval to her promotion. No costs. Consequently, connected Miscellaneous Petitions are closed.

30.07.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
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R.N.MANJULA, J.

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