



W.P.(MD).No.18774 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.18774 of 2024

and

W.M.P(MD) Nos.15889 and 15890 of 2024

S.Surya Prabha
Secondary Grade Teacher,
Panchayat Union Elementary School,
Kallakinaru 624 212,
Kodaikanal Union,
Dindigul District.

... Petitioner

Vs.

1. The Chief Educational Officer,
Office of Chief Educational Officer,
Dindigul District.
2. The District Educational Officer,
Office of District Educational Officer,
Ottanchathiram,
Dindigul District.
3. The Block Education Officer,
Kodaikanal Taluk,
Dindigul District.



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4. G.Jeyachandrika

Head Mistress

Panchayat Union Primary School,
Samakattupallam, Kodaikanal,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of second respondent in Na.Ka.No. 977/A1/2023, dated 14.05.2024 and consequential impugned order of third respondent in Na.Ka.No.980/A1/2024, dated 02.07.2024 for transfer of fourth respondent and consequential impugned relieving order of first respondent in Na.Ka.No.1023/Aa2/2024, dated 02.07.2024, quash the same and consequently direct the respondents herein to promote the petitioner in the post of Head Master of Panchayat Union Elementary School, Pallathadi, Kodaikanal Union, Dindigul District.

For Petitioner : Mr.K.Appadurai

For R1 to R3 : Mr.N.Satheesh Kumar
Additional Government Pleader

For R4 : No appearance

ORDER

The present Writ Petition has been filed by a Secondary Grade Teacher challenging the order dated 14.05.2024 passed by the second respondent



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herein, wherein his request for promotion to the post of Headmaster of Middle School has been rejected for the time being on the ground that the State is contemplating to prepare a State Level Seniority List of the Secondary Grade Teachers working in Panchayat Union Schools.

2. According to the learned counsel appearing for the writ petitioner, one S.Manivannan has been appointed as a Primary School Headmaster overlooking his seniority. Hence, he had filed a writ petition in W.P(MD)No. 15436 of 2019, challenging the promotion of the said S.Manivannan. However, the said S.Manivannan had resigned the post on 12.07.2023. Thereafter, according to the writ petitioner, the said vacancy should have been filled up by the writ petitioner, without awaiting for the disposal of W.P. (MD)No.15436 of 2019. However, his request for promotion as Primary School Headmaster has been rejected on the sole ground that the State is contemplating to prepare a State Level Seniority List for Secondary Grade Teachers.

3. Per contra, the learned Additional Government Pleader appearing for the respondents 1 to 3 had pointed out that after the resignation of the said



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S.Manivannan on 12.07.2023, no other Secondary Grade Teachers in the concerned Union has been promoted as Primary School Headmaster and unless the State prepares a State Level Seniority List of the Secondary Grade Teachers to be promoted as headmaster of Primary School, no further promotion would be effected.

4. In view of the such statement made by the learned Additional Government Pleader, this Court is of the considered opinion that the request of the petitioner for promotion to the post of Primary School Headmaster cannot be considered at this point of time. As and when the State prepares the State Level Seniority list, based upon the seniority, the request of the petitioner can be considered for promotion to the post of Primary School Headmaster.

5. The petitioner has also challenged the transfer order and relieving order of the fourth respondent. It could be seen from the records that the fourth respondent has already been promoted as Primary School Headmaster whose promotion has not been put to challenge by the writ petitioner. In such circumstances, such a prayer is not maintainable.



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6. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petitions stand closed.

19.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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