



W.P.(MD)No.9864 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2024

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.9864 of 2017

Marimuthu

... Petitioner

Vs.

1.The Principal Secretary to
Government of Tamil Nadu,
Department of School Education,
St. George Fort,
Chennai.

2.The Director of School Education,
D.P.I.Complex,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the second respondent in Na.Ka.No.90294/C1/E1/2014, dated Nil.12.2014 and quash the same as illegal and direct the second respondent to refix the seniority of the petitioner in the panel dated 12.05.2014, in accordance with law and also to give notional promotion to the petitioner with all monitory and attendant benefits.



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For Petitioner : Mr.B.Sekar

For Respondents : Mr.T.Amjad Khan,
Government Advocate

ORDER

The matter is listed before me for the second time and the last hearing date on 08.08.2024, the learned Government Advocate appearing for the respondents, on instructions, had submitted that the present writ petition has now become infructuous since the petitioner has been promoted as Head Master and he is working in Perumanadu High School, Pudukkottai from the year 2008 onwards.

2. On the last hearing date on 08.08.2024, the learned counsel for the petitioner sought time to get instructions with regard to the submissions made by the learned Government Advocate appearing for the respondents. At his request, the matter was adjourned for the hearing today i.e., on 16.08.2024.

3. The learned counsel for the petitioner is present, however, he seeks further time to get instructions from his client.



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4. In this writ petition, the petitioner has challenged the seniority panel list pertaining to the year 2014. The petitioner was aggrieved by the fact that his juniors have been treated as seniors in the impugned seniority panel list. The persons, who have been alleged to be ranked senior to that of the petitioner erroneously, according to the petitioner, have not been arrayed as party respondents in this writ petition, though the impugned seniority panel is of the year 2014. The learned counsel for the petitioner is also unable to inform this Court with regard to the submissions made by the learned Government Advocate appearing for the respondents that the petitioner has been promoted as Head Master subsequent to the passing of the impugned seniority panel list and he continuous to work in the same school namely Perumanadu High School, Pudukkottai.

5. In view of the fact that the petitioner has been promoted as Head Master and the petitioner has not arrayed the persons, who, according to him, have been ranked senior to him in the seniority panel list, which is challenged in the writ petition and after recording the submissions made by the learned Government Advocate appearing for the respondents that the petitioner has been promoted as Head Master in the year 2015 itself, this Court does not find any merit in this writ petition.



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6. Recording the submissions of the learned Government Advocate appearing for the respondents, this writ petition is dismissed. No costs.

7. In case, the petitioner is having any other grievance apart from the relief sought for in the writ petition, liberty is granted to the petitioner to give representation to the respondents and the respondents are also directed to consider a such representation on merits and in accordance with law.

16.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
am

To

- 1.The Principal Secretary to
Government of Tamil Nadu,
Department of School Education,
St. George Fort,
Chennai.
- 2.The Director of School Education,
D.P.I.Complex,
Chennai.

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ABDUL QUDDHOSE, J.

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