



W.P.(MD)No.18701 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2024

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THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.18701 of 2016

RM.Umayal

: Petitioners

Vs.

1.The Secretary,
Department of Higher Education,
St. George Fort, Chennai.

2.The Commissioner,
Director of Technical Education,
Guindy, Chennai – 25.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the respondents to promote the petitioner to the post of Principal notionally with effect from the date on which the petitioner's juniors were promoted and consequentially to include petitioner's name in the G.O.345 dated 28.10.2010 issued by the first respondent and confer all other consequential monetary benefits applicable in promotion along with the due Career Advance Scheme two increments pending for the petitioner and in her retirement benefits within a time frame fixed by this Court.



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For Petitioners : Mr.R.Ramasamy

For Respondents : Mr.T.Amjad Khan

Government Advocate

ORDER

This Writ Petition has been filed for a Mandamus, to promote the petitioner to the post of Principal notionally with effect from the date on which the petitioner's juniors were promoted and consequentially to include petitioner's name in the G.O.345 dated 28.10.2010 issued by the first respondent and to confer all other consequential monetary benefits applicable in promotion along with the due Career Advance Scheme two increments pending for the petitioner and in her retirement benefits.

2.Counter affidavit has also been filed by the respondents.

3.It is brought to the notice of this Court by the learned Counsel for the petitioner that subsequent to the filing of this writ petition, the petitioner has been promoted to the post of Principal, notionally with effect from the date on which the petitioner's juniors were promoted and his name has also been included in G.O.345 dated 28.10.2010. However, learned Counsel for the petitioner would submit that the increments payable to the petitioner under the



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Career Advance Scheme as per G.O.Ms.No.1081 [Education (J-1) Department] dated 19.08.1989 has not been paid.

4.No prejudice would be caused to the respondents if the petitioner is directed to give a representation for the said purpose and a direction is issued to the respondents to consider the same.

5.For the foregoing reasons, this Writ Petition is disposed of, by permitting the petitioner to give a representation to the first respondent seeking for payment of two increments under the Career Advance Scheme which according to the petitioner is still due and payable within a period of two [2] weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent shall pass final orders on merits within a period of twelve [12] weeks thereafter.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

22.08.2024

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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ABDUL QUDDHOSE, J.

MR

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