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W.P.(MD) No.22657 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.22657 of 2021

V.N.Anandapadmanaban

... Petitioner

-VS-

1.The District Educational Officer
Tirunelveli District, Tirunelveli

2.The Joint Director of School
Education (Higher Secondary)
College Road, Chennai-6

3.Government of Tamilnadu
rep.by Secretary to Government
Department of Education
Government of Tamilnadu
Chennai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned proceedings of the second respondent in Na.Ka.No. 25707/W3/E1/2021, dated 11.06.2021 and quash the same and consequently directing the respondents to include the name of the petitioner in the appropriate place in the list of eligible candidates for promotion to the post of Post Graduate Teachers with all consequential benefits.



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For Petitioner : Mr.V.Kannan

For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

Learned counsel for the petitioner fairly submits that the second respondent has rightly rejected the petitioner's representation seeking to include his name for the post of Post Graduate Teacher under the non-teaching staff category, as he is a Lab Assistant and will not fall within the purview of G.O.(Ms) No.11, School Education Department, dated 02.11.2011.

2. In view of the submission made by the learned counsel for the petitioner, the impugned order passed by the second respondent, dated 11.06.2021, has to be confirmed by this Court. However, learned counsel for the petitioner also submits that the petitioner may be granted liberty to give a fresh representation to the third respondent, who is having the power to grant relaxation of the conditions imposed in G.O.Ms.No.11, School Education Department, dated 02.11.2011 and the third respondent may also be directed to pass final orders on the said representation, on merits and in accordance with law, within a time frame to be fixed by this Court.



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3. No prejudice will be caused to the respondents, if such a direction is issued to the respondents.

4. After recording the fact that the second respondent has rightly rejected the petitioner's representation, since the petitioner is only a Lab Assistant, this writ petition is disposed of by granting liberty to the petitioner to give a fresh representation to the third respondent seeking for appointment to the post of Post Graduate Teacher under the non-teaching staff category, within a period of two weeks from the date of receipt of a copy of this order. On such representation being given by the petitioner, the third respondent shall consider the same and pass orders on merits and in accordance with law, within a period of six months thereafter. No costs.

08.08.2024

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

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To:

1.The District Educational Officer,
Tirunelveli District,
Tirunelveli.

2.The Joint Director of School
Education (Higher Secondary),
College Road, Chennai-6.



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3.The Secretary to Government,
Department of Education,
Government of Tamilnadu,
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ABDUL QUDDHOSE, J.

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