



WEB COPY



W.P.No.22358 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.03.2025

Coram:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.No.22358 of 2009
and M.P.No.1 of 2009**

Tmt.M.Kanagamani

...Petitioner

Versus

1.Commissioner,
Coimbatore Municipal Corporation,
Coimbatore.

2.Educational Officer,
Coimbatore Municipal Corporation,
Coimbatore.

3.N.Saraswathy

4.T.K.Malathy

5.S.Krishnaveni

6.S.Arputhamary

7.B.Radhika

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of mandamus directing the respondents to



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give promotion to the petitioner as Tamil Pandit notionally from January 2003 from the date on which her juniors have been given promotion and confer all the consequential benefits.

For Petitioner : Mr.V.Sivalingam
for M/s.C.S.Associates
For Respondents – 1 & 2 : Mr.S.Prabhakaran,
Government Advocate

ORDER

The relief sought in this Writ Petition is to direct the Respondents to give promotion to the Petitioner as Tamil Pandit notionally from January 2003 from the date on which her juniors have been given promotion and confer all the consequential benefits.

2. The brief facts of the case are that the Petitioner had passed Secondary Grade Teacher Training Course in the year 1989. During the year 1995, the Petitioner was selected by the Teachers Recruitment Board and was appointed as Secondary Grade Teacher in Government High School, Kinathukadavu, Coimbatore District. Thereafter, at the request of the Petitioner, she was transferred to Corporation Girls Higher Secondary School, Oppanakara Street, Coimbatore on 01.10.1996. While the Petitioner was working in the said school, she had passed the degrees viz.,



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B.Litt. (Tamil) in the year 2001 and M.A. (Tamil) in the year 2007 and B.Ed in the 2009.

3. During the year 2001, the Petitioner made a Representation dated 03.12.2001 to the 1st Respondent, requesting the 1st Respondent to include the name of the Petitioner in the Panel for Promotion for the year 2002 to the post of Tamil Pandit. However, no such Panel for Promotion was drawn for the year 2002.

4. In this background, the 1st Respondent vide Proceedings dated 20.01.2003 bearing Na.Ka.No.1014/01/K9, promoted 25 Secondary Grade Teachers as Tamil Pandits, but, the Petitioner was not promoted as Tamil Pandit. Thereafter, during July 2003, a Panel for Promotion was drawn to the post of Tamil Pandit for the year 2003 with the crucial date as on 01.01.2003. However, the Petitioner's name was not included in the Panel for Promotion drawn for the year 2003. Hence, the Petitioner made a Representation dated 28.07.2003 to the 1st Respondent, but, there was no response for the same.



5. Subsequently, the Petitioner made a Representation dated 18.06.2007 to the 1st Respondent. While so, the 1st Respondent issued a Memorandum dated 30.11.2007, stating that as per the Rules as on 01.01.2007, the Petitioner's name has been placed in the appropriate place and the grievance of the Petitioner will be considered after getting clarification from the Directorate of School Education. Finally, left with no other alternative, the Petitioner has filed this Writ Petition for the aforesaid relief.

6. Heard the learned counsel for the Petitioner and learned Government Advocate for the Respondents 1 & 2.

7. Considering the above facts and circumstances of the case, this Court directs the 1st Respondent to consider the Petitioner's Representation dated 18.06.2007, if not considered earlier and pass appropriate orders on merits and in accordance with law.

8. If the Petitioner has been promoted belatedly, it is open for the Petitioner to make a fresh Representation before the 1st Respondent, within



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a period of 30 days from the date of receipt of a copy of this order. On receipt of such fresh Representation from the Petitioner, the 1st Respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of three months thereafter.

9. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

25.03.2025

mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

1.Commissioner,
Coimbatore Municipal Corporation,
Coimbatore.

2.Educational Officer,
Coimbatore Municipal Corporation,
Coimbatore.



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C.SARAVANAN, J.

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