



W.P.No.34098 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.03.2025

Coram:

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.34098 of 2023

S.Devi

...Petitioner

Vs.

1. The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006

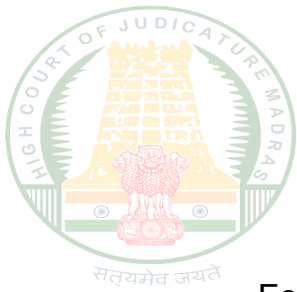
2. The Chief Educational Officer,
Salem District, Salem – 636 001.

3. The District Educational Officer,
Sankagiri Education District
Sankagiri 637 301, Salem District

4. The Secretary,
Vaidheeswara Higher Secondary School,
Mettur Dam Taluk and Post,
Salem District – 636 402

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents 2 and 3 to approve the promotion of the petitioner to the post of Headmaster in accordance with the order of promotion issued by the 4th respondent dated 01.07.2019 with further direction to to the 4th respondent school to resubmit the proposal already submitted in consideration of representation submitted by the petitioner with all consequential and other attendant benefits including salary benefits.



W.P.No.34098 of 2023

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For Petitioner

: Mr.K.M.Vivekanandan
Mr.S.Narendra moorthy
Mr.M.Mukilan

For Respondents

: Mr.S.Prabhakaran for R1 to R3
Government Advocate [Education]
Mr.Sai Raaj & Associates for R4

ORDER

The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents 2 and 3 to approve the promotion of the petitioner to the post of Headmaster in accordance with the order of promotion issued by the 4th respondent dated 01.07.2019 with further direction to the 4th respondent school to resubmit the proposal already submitted in consideration of representation submitted by the petitioner with all consequential and other attendant benefits including salary benefits.

2. According to the petitioner, the petitioner was initially appointed as Secondary Grade Teacher on 30.11.1988 in the 4th respondent school, a Government Aided School and based on her seniority and eligibility, she was promoted as B.T.Assistant on 03.06.1996 and further promoted as PG Assistant on 19.07.2002. Thereafter, she was promoted as Assistant Headmaster and Head Master of the school on 01.07.2019. Consequently necessary proposal



W.P.No.34098 of 2023

was forwarded by the 4th respondent school to the Department directly seeking approval of promotion with effect from 01.07.2019. The office of the 2nd respondent has returned the proposal vide proceedings in O.Mu.No.020692/Aa4/2022 dated 30.12.2022 indicating that the proposal should be sent through office of District Educational Officer, the 3rd respondent. The petitioner submitted further representation to the 4th respondent on 22.11.2023 that she completed the subject of Higher Secondary sections and thereby seeking permission to continue as Headmaster of the School based on her promotion to the post of Headmaster already granted, whereas the respondents have not considered the same. Hence this petition.

3. The 3rd respondent by way of a counter contended that no proposals have been submitted by the 4th respondent on 01.07.2019 to promote the petitioner to the post of headmaster, as averred by the petitioner. The fact is that the 4th respondent vide letter Na.Ka.No.1250/VHSS/2022-23 dated Nil.2022 submitted proposals requesting the 2nd respondent to approve the promotion of the petitioner to the post of Headmaster. The 2nd respondent vide his proceedings O.Mu.No.020692/B4/2022 dated 30.12.2022 returned the proposals stating that the proposals for approval of appointment / promotion are to be sent only through the District Educational Officer concerned with recommendations.



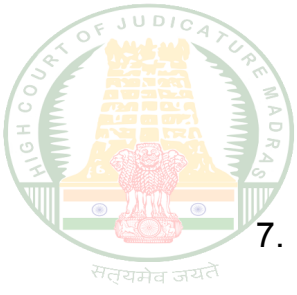
W.P.No.34098 of 2023

Further, no proposals have been received from the 4th respondent for approval of promotion of the petitioner in the post of Headmaster either at the office of the 2nd respondent or at the office of the 3rd respondent.

4. Heard the learned counsel on either side and perused the documents placed on record.

5. The present Writ Petition has been filed by the petitioner with the prayer to approve the promotion of her to the post of Headmaster in the light of proposals submitted by the 4th respondent on 01.07.2019, however, the counter of the respondents would indicate that no such proposals were received either by the 2nd respondent or by the 3rd respondent.

6. It is to be noted that 4th respondent vide letter Na.Ka.No.1250/VHSS/2022-23 dated Nil.11.2022 submitted proposals requesting the 2nd respondent to approve the promotion of the petitioner to the post of Headmaster and the 2nd respondent vide proceedings O.Mu.No.020692/B4/2022 dated 30.12.2022 returned the proposals stating that the proposals for approval of appointment / promotion are to be sent only through the District Educational Officer concerned with recommendations.



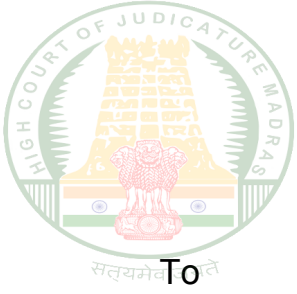
W.P.No.34098 of 2023

7. In view of the above, the 4th respondent is directed to send the proposals along with recommendations or any other report / supporting documents to approve the promotion of the petitioner to the post of Headmaster to the 3rd respondent / District Educational Officer, Salem District and in turn, the 3rd respondent shall forward the same to the 1st respondent. On receipt of all the documents / recommendations, the 1st respondent shall consider and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

In the result, the Writ Petition is disposed of. No costs.

04.03.2025

Index : Yes / No; Internet : Yes / No
Speaking Order / Non Speaking Order
ssd



W.P.No.34098 of 2023

To

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W.P.No.34098 of 2023

V.BHAVANI SUBBAROYAN, J.

ssd

W.P.No.34098 of 2023

04.03.2025