



W.P. No. 34843 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

W.P. No. 34843 of 2018

and

W.M.P. No. 40392 of 2018

V.Rangasamy

... Petitioner

-VS-

1. The Government of Tamil Nadu
Rep. by Secretary to the Government
School Education Department
Fort St. George, Chennai-600009.

2. The Director of School Education
College Road, Chennai-600006.

3. The Chief Educational Officer
Coimbatore District, Coimbatore.

4. The Headmaster
Government Higher Secondary School
Anaiyur, Kuppanoor Post
Coimbatore District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the respondent Nos. 1 to 3 to include the name of the petitioner at appropriate place in the panel fit for an appointment to the post of Headmaster High School as on 01.01.2018 by taking into account his seniority rank No.146 in the post of B.T. Assistant –



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Science for the year 2001-2002, as assigned by the Teachers Recruitment Board along with the other B.T. Assistant given rank No.146 in other subject for the year 2001-2002 and appoint the petitioner as Headmaster High School by way of recruitment by transfer, with service and monetary benefits, from the date on which the petitioners junior were appointed to the post of Headmaster High School.

For Petitioner : Mr.R.Saseetharan

For Respondents : Mrs.P.Rajarajeswari, GA

ORDER

Heard Mr.R.Saseetharan, learned counsel for the petitioner and Mrs.P.Rajarajeswari, learned Government Advocate for the respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. This writ petition has been filed seeking direction to the respondent Nos. 1 to 3 to include the name of the petitioner at appropriate place in the panel fit for an appointment to the post of Headmaster High School as on 01.01.2018 by taking into account his seniority rank No.146 in the post of B.T. Assistant – Science for the year 2001-2002, as assigned by the Teachers Recruitment Board along with the other B.T. Assistant given with rank No.146 in other subject for



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the year 2001-2002 and appoint the petitioner as Headmaster High School by

way of recruitment by transfer, with service and monetary benefits, from the date on which the petitioners junior were appointed to the post of Headmaster High School.

3. The petitioner was recruited and appointed as B.T. Assistant by proceedings of the Teachers Recruitment Board followed by the Director of School Education Department dated 12.01.2022. As per the rank provided by the Recruiting Agency viz., TRB, his rank was 146 for the said year in Botany subject. In the year 2018 a panel of B.T. Assistant fit for promotion to the post of High School Headmaster consisting of more than 1000 names was prepared and the name of the petitioner has been omitted to be included, but the juniors and batchmates of the petitioner who were comparatively juniors to the petitioner based on the rank given by the TRB have been included. Therefore, in order to include the name of the petitioner, the petitioner's attempt by way of representation could not yield any desired results, he filed the present writ petition.

4. In response to the same, counter affidavit has been filed by the



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respondents where they have stated that, in the year 2019 a combined seniority

list dated 05.07.2019 was issued as on 01.01.2019 and in that list, the name of the petitioner has been included in Serial No.81. However, the grievance of the petitioner is that his name should have been included in 2018 panel.

5. The learned Government Advocate submitted that the petitioner's name has not been included in the panel of the year 2018 because the proposal has not been obtained by the authorities.

6. The learned counsel for the petitioner submitted that the proposal has been very much sent by the fourth respondent Headmaster, but for the reasons best known to the authorities, they did not take the petitioner into consideration.

7. So from the submission made by the respondent Government, it is made clear that the petitioner's grievance has got reasonable basis and he did not come to the Court with any imaginary reasons.

8. But it is further submitted by the learned Government Advocate for the



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respondents that the petitioner's name has been included in the year 2019 panel

and he has also been given with the promotion. In case, his immediate juniors have been given with the promotion in the year 2018 and the petitioner has not been considered for the promotion, despite the vacancies were there prejudice would be caused to the petitioner. It is seen from the seniority list as on 01.01.2018, one Sivagurunathan's name has been found in Serial No.980. Since the petitioner is also said to have got the serial No. 146 (same employment rank assigned by the recruitment board), he also ought to have been placed either at Serial No.980 or 981 in the seniority list. However, it is not clear whether the said Sivagurunathan is given with any promotion in the year 2018. Hence, I feel that a suitable direction can be given to the second respondent to verify the same and consider the representation of the petitioner on merits and pass orders within a period of four weeks from the date of receipt of a copy of this order.

9. In the event of the second respondent finding out that the petitioner has not been promoted on par with his junior despite the vacancy was available, then the petitioner ought to have been given with the service benefit of giving notional effect with the promotion on par with his junior and re-fix his salary accordingly in order to enable the petitioner to get the monetary benefits atleast



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from the date of his promotion.

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10. With the above observation, this writ petition is allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Internet: Yes/No

Speaking /Non-speaking order

Maya

To

1. The Secretary to the Government of Tamil Nadu
School Education Department
Fort St. George, Chennai-600009.
2. The Director of School Education
College Road, Chennai-600006.
3. The Chief Educational Officer
Coimbatore District, Coimbatore.
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R.N.MANJULA, J.

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