



W.P.(MD).No.2254 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.01.2025

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.2254 of 2025

and

W.M.P.(MD)Nos.1613 & 1615 of 2025

P.Arockia Samy

... Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Secretary,
Department of School Education,
Fort St.George, Chennai - 600 009.

2. The Joint Director of School Education, (Personnel)
College Road, Chennai - 600 006.

3. The Chief Educational Officer
Chief Educational Office,
Madurai, Madurai District.

4. The District Educational Officer,
District Educational Office,
(Elementary Education)
Madurai, Madurai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned revised final additional panel list issued by the 2nd respondent Joint Director of School Education (Personnel) in Na.Ka.No.10030/a3/e1/2023 dated 27.12.2024 and quash the same in so far as removing the name of the petitioner for the promotion to the post of Upgraded Superintendent and consequently



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direct the 2nd respondent Joint Director of School Education (Personnel) herein to revise the panel list for the promotion of upgraded Superintendent and further promote the petitioner as upgraded Superintendent and placing him in the nearby vacancy based on his merit with all consequential service and monetary benefits.

For Petitioner : Mr.A.Amala
For Respondent : Mr.T.Amjadkhan
Government Advocate

ORDER

The instant writ petition has been filed by an assistant working in the School Education Department, challenging the revised final additional panel list for promotion to the post of upgraded superintendent from the post of Assistant.

2. A perusal of the impugned panel reveals that the name of the petitioner has been placed under schedule-3, which is a deferred panel. The petitioner has not completed the probation within a period of two years from the date of joining in service and the probation was declared belatedly by the District level officer. According to the state, if the probation could not be declared within a period of two years, for want of certain training, the rules have to be relaxed only by the government and only after the rules are relaxed, the probation can be declared.



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3. It is needless to point out that as and when the rules are relaxed in favour of the writ petitioner, the seniority of the writ petitioner shall be restored on par with her juniors.

4. The learned Additional Government Pleader appearing for the respondents herein has received written instructions to the effect that as and when the petitioner prefers an application to the second respondent herein, the same would be forwarded to the first respondent and after relaxing the rules, the original seniority of the petitioner would be restored.

5. Considering the above said facts, this Court is inclined to pass the following order:

a) the petitioner is directed to submit her appeal to the second respondent within a period of two weeks from the date of receipt of a copy of this order.

b) On receipt of the same, the second respondent is directed to consider the same and forward it to the first respondent within a period of six weeks.

c) On receipt of the proposal from the second respondent, the first respondent shall consider the same and dispose the same within a period of twelve weeks thereafter.



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6. With the above said observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

27.01.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

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