

W.P(MD)No.18397 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.18397 of 2022 and
WMP(MD) No.13398 of 2022

Sangeetha.R

... Petitioner

Vs

1.The Distrioct Educational Officer,
Usilampatti Educational Region,
Usilampatti 625 532,
Madurai District.

2.The Secretary,
Sri K.V.Higher Secondary School,
Pappanaickenpatti - 625 708.
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to promote the petitioner from the post of Record clerk to the post of Junior Assistant in his Sri K.V. Higher Secondary School, Pappanaickenpatti- 625 708, Madurai District, with effect from 01.05.2020, in obedience to the direction dated 21.01.2021 passed by the first respondent in his proceedings in Rc.No. 4667/B1/2020 on his file, within a time framed as may be



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fixed by this Court.

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For Petitioner

: Mrs. Jessi Jeeva Priya

For R1

: Mr.K.Balasubramani

Special Government Pleader

For R2

: Mr.V.Antony Arul Raj

ORDER

The petitioner is working as a Record Clerk in the second respondent aided Institution, namely, Sri K.V. Higher Secondary School. One of the person, who was working as a Junior Assistant in the second respondent School retired on 30.04.2020. Therefore, this petitioner has made a representation that she is entitled to be promoted to that vacancy, which arose on 30.04.2020. Instead of promoting this petitioner in the said vacancy, the School Management has sent a proposal for promoting another person, who was working in the post of Office Assistant. The proposal was returned by the first respondent. In the meantime, as a policy decision of the Government, the posts of non-teaching staff existing in the aided institutions were declared as vacant. Accordingly, the post of junior assistant in the second respondent institution was surrendered as it was declared as surplus. This order of the first



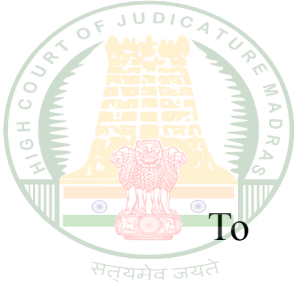
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respondent treating the post of non-teaching staff as surplus, the petitioner has filed a writ petition before this Court in WP(MD) No. 30257 of 2024 and the same is still pending.

2.Since the Government has already taken a policy decision, by treating the post of non-teaching staff (Junior Assistant) in the second respondent Institute as that of surplus, pursuant to the same, the said post has been surrendered and this issue is now pending before this Court in WP(MD) No.30257 of 2024, which was filed by this petitioner herein, this writ petition is closed, with liberty to this petitioner to renew her representation, on the outcome of WP(MD) No.30257 of 2024. In the event, if any representation is made, the same shall be considered by the respondents in a time bound manner. No costs. Consequently, connected Miscellaneous Petition is closed.

28.01.2025

NCC:Yes/No
Index:Yes
vrn



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B.PUGALENDHI, J.

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Order made in
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