



WEB COPY

WP No. 10236 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 10236 of 2026

R.Santhi
W/o.B.Harikrishnan
No.33, Brindhavan Nagar,
Roja Street, U.N.Chavadi,
Kondur Post,Cuddalore- 607 006.

..Petitioner

Vs

1. The Director
Elementary Education Department,
Directorate of School Education,
DPI Compound, Chennai- 600 006.
2. The Chief Educational officer
Office of the Chief Education Officer
Cuddalore - 607 001.
3. The District Educational Officer
Office of the District Educational Office,
Cuddalore.
4. The Headmaster
Government Girls Higher Secondary School,
Nellikuppam, Cuddalore District.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records in impugned Proceedings in Na.Ka.No.5774/ B1/ 2021 dated 15.09.2021 on the file of the 2nd respondent quash the same, consequently directing the respondents to promote petitioner from secondary Grade Teacher to B.T., Assistant (Science) with effect from 07.10.2010 on par with petitioner other



juniors with all attendant benefits within a stipulated period of time as fixed by this Court.

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For Petitioner: Mr.R.Ezhilarasan

For Respondents: Mrs.Mythreye Chandru
Special Government Pleader for R1 to R4

ORDER

The writ petition has been filed seeking to quash the impugned proceedings of the 2nd respondent dated 15.09.2021 and consequently, direct the respondents to promote the petitioner from Secondary Grade Teacher to B.T.Assistant (Science) with effect from 07.10.2010 on par with the juniors, with all attendant benefits.

2. The petitioner was appointed as Secondary Grade Teacher in Government Girls Higher Secondary School, Parangipettai, Cuddalore District, on 13.01.1999 . On 21.06.2001, she was transferred and posted as Secondary Grade Teacher in Government Higher Secondary School, Nallikuppam. The petitioner would submit while serving as Secondary Grade Teacher at Nallikuppam, she had completed her degree in B.Sc., (Applied Science) in Annamalai University on 04.10.2006. Subsequently, she had completed her degrees in B.Ed., and M.Sc., Chemistry on 06.10.2010 and 04.10.2012



respectively. Vide G.O.Ms.No.65 Higher Education (K2) Department dated 24.04.2019, the B.Sc.,(Applied Science) degree was considered to be equivalent to B.Sc., Chemistry degree.

3. The petitioner would submit that upon obtaining the B.Ed., degree, she was eligible for promotion for the post of B.T.Assistant. Therefore, the petitioner submitted her representations dated 11.06.2019 and 23.12.2020 seeking promotion on par with her juniors, who were already promoted. Since there was no response to her above representations, she filed W.P.No.5721 of 2021 and the same was disposed of by order dated 09.03.2011, directing the respondents to consider her representation dated 23.12.2020 and to pass orders. Pursuant to the directions of this Court, the second respondent had issued the impugned order dated 15.9.2021, rejecting to consider the candidature of the petitioner for promotion. Hence, the petitioner is before this Court.

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

5. From the records, it appears that the 4th respondent has forwarded the candidature of the petitioner dated 23.12.2010 seeking promotion to the 2nd respondent vide his proceedings dated 29.06.2021. While so, the 2nd respondent



vide impugned order dated 15.09.2021 has rejected the application of the petitioner that pursuant to G.O.Ms.No.65 dated 24.04.2019, stating that though there are surplus graduate teachers available, there was no posts vacant to fill up the vacancies. Further, a perusal of the communication of the 4th respondent dated 23.12.2010 would show that they had recommended the petitioner's name for promotion along with two others in the sanctioned vacancy. Therefore, the contention that there was no vacancy is totally erroneous. The recommendations of the 4th respondent has not been taken into consideration by the 2nd respondent. The order impugned is a non-speaking one and it has been passed without affording an opportunity to the petitioner to putforth her case.

6. In the above circumstances, the impugned order cannot be sustained and the same is set aside. This Court without going into the merits of the case, directs the second respondent to consider the candidature of the petitioner afresh after giving due opportunity to the petitioner and pass orders within a period of two months from the date of receipt of a copy of this order.

7. Accordingly, the writ petition is allowed. No costs.

17-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
DS



To:

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