

**A. Skylab and Others Vs. The Director, Adi Dravidar Welfare Department, Chennai and Another**

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**Court :** Chennai Madurai

**Decided On :** Aug-08-2016

**Judge :** The Honourble Mr. Justice T. Raja

**Appeal No. :** W.P(MD). Nos. 13931 to 13933 of 2016 & W.M.P.(MD).Nos. 10360 to 10362 of 2016

**Appellant :** A. Skylab and Others

**Respondent :** The Director, Adi Dravidar Welfare Department, Chennai and Another

**Judgement :**

(Prayers in W.P (MD) No.13931 of 2016 : Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to pass on order so as to promote petitioner to the post of B.T Assistant Teacher (English) in the existing vacancy i.e., at Government Adi Dravidar Welfare Higher Secondary School, Idayankulam, Virudhunagar District in the light of the request made by the 2nd respondent vide his letter in Na.Ka.No.T2/7125/2015 signed on 24.12.2015 during the time of forthcoming general counseling.

W.P (MD) No.13932 of 2016 : Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to pass on order so as to promote petitioner to the post of B.T Assistant Teacher (English) in the existing vacancy i.e., at Government Adi Dravidar Welfare Higher Secondary School, Elumbur, Madurai District during the time of forthcoming general counseling which is scheduled to be taken on 08.08.2016 and 09.08.2016 by the first respondent.)

### Common Order

1. The writ petition in W.P(MD)No.13931 of 2016 is filed seeking for a Mandamus directing the first respondent/Director, Adi Dravidar Welfare Department, Chennai, to pass on order promoting the petitioner to the post of B.T Assistant Teacher (English) in the existing vacancy i.e., at Government Adi Dravidar Welfare Higher Secondary School, Idayankulam, Virudhunagar District in the light of the request made by the 2nd respondent vide his letter in Na.Ka.No.T2/7125/2015 signed on 24.12.2015 during the time of forthcoming general counseling.
2. The writ petition in W.P(MD)No.13932 of 2016 is filed seeking for a Mandamus directing the first respondent/Director, Adi Dravidar Welfare Department, Chennai, to pass on order promoting the petitioner to the post of B.T Assistant Teacher (English) in the existing vacancy i.e., at Government Adi Dravidar Welfare Higher Secondary School, Elumbur, Madurai District during the time of forthcoming general counseling which is scheduled to be taken on 08.08.2016 and 09.08.2016 by the first respondent.
3. The writ petition in W.P(MD)No.13932 of 2016 is filed seeking for a Mandamus directing the first respondent/Director, Adi Dravidar Welfare Department, Chennai, to pass on order promoting the petitioner to the post of B.T Assistant Teacher (Mathematics) which is an existing vacancy available at Government Adi Dravidar Welfare Higher Secondary School, Keelapatti, Peraiyur Taluk, Madurai District during the time of forthcoming general counseling which is scheduled to be taken on 08.08.2016 and 09.08.2016 by the first respondent.

4. It is submitted by the learned counsel for the petitioner that A.Skylab has been shown in serial No.1 in the seniority list prepared by the second respondent for each category of teachers. It is also submitted by the learned counsel for the petitioner that in spite of the vacancy in the Adi Dravidar Welfare Higher Secondary School, Idayankulam, Virudhunagar District, in the post of B.T. Assistant Teacher (English), for the past one year, no B.T. Assistant Teacher (English) has been appointed, as a result, teachers who were appointed for other subjects, have been asked to take classes of English subject for 10th Standard students. Since such teachers are not having sufficient knowledge about teaching in English subject, the students who are in studying in 10th Standard, are put to great hardship. In view thereof, the petitioner gave a representation to the first respondent through the second respondent emphasising the urgency for posting B.T Assistant Teacher (English) in Adi Dravidar Welfare Higher Secondary School, Idayankulam, Virudhunagar District. The second respondent also recommended his case in proceedings dated 24.12.2015 for appointing the petitioner as B.T Assistant(English), but till date, no order is forthcoming, therefore, the petitioner has come to this Court.

5. After issuing notice, Mr.M.Murugan, learned Government Advocate, took written instructions. As per the written instructions, he would submit that as recommended by the second respondent, the petitioner would be accommodated in the post of B.T. Assistant Teacher (English) in Government Adi Dravidar Welfare Higher Secondary School, Idayankulam, Virudhunagar District, as per his seniority.

6. It is reported that transfer counselling is going to be held on 09.08.2016, therefore, the respondents are directed to consider the case of the petitioner in the afore mentioned place as there is a vacancy, moreover, the petitioner has also been placed at Serial No.1 in the seniority list prepared by the second respondent.

7. In other two Writ Petitions(MD)Nos.13932 and 13933 of 2016 also, Mr.M.Murugan, learned Government Advocate taking written instructions, submitted that the petitioner in these writ petitions also would be considered in Madurai, depending upon their seniority.

8. Recording the above said submission and also taking note of the availability of vacancy in Madurai, the respondents are directed to accommodate them in Madurai. Accordingly, W.P(MD)Nos.13931 to 13933 of 2016 stand disposed of. No costs. The respondents are directed to accommodate the petitioners as per the written instruction given by the learned Government Advocate.

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