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A. Deisy Vs. The District Elementary Educational Officer and Another

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Court : Chennai Madurai

Decided On : Jul-22-2016

Judge : T. Raja

Appeal No. : W.P(MD).No. 12959 of 2016 W.M.P.(MD).Nos. 9762 & 9763 of 2016

Appellant : A. Deisy

Respondent : The District Elementary Educational Officer and Another

Judgement :

(Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents to consider the petitioners seniority at the 1st place in the Promotion panel as on 01.01.2016 for promotion to the post of B.T. Assistant (English) in Madurai west Panchayat Union and to promote and post the petitioner as BT Assistant in English in the existing vacancy of BT Assistant (English) at Madurai west panchayat union Middle school at athalai or any other vacancy in other middle school functioning under Madurai West Panchayat Union Jurisdiction.)

1. Mr.A.Deisy, is a Secondary Grade Teacher, presently serving in the Panchayat Union Elementary School at Chakkiliankulam. The next avenue of promotion to her is B.T.Assistant. Since 2015, she has been shown as first in the promotion panel prepared by the respondents. While so, the counseling is scheduled on 06.08.2016. According to counseling schedule, B.T.promotion should be made first

and then transfer from one union to union or district to union will take place. However, the respondents herein are trying to transfer a B.T.Assistant (English) working in some other union / district to the B.T.Assistant (English) vacancy existing at the Madurai West Panchayat Union Middle School, Athalai in order to deprive the opportunity available to the petitioner. Stating all these facts, the petitioner has made a representation to the respondents, on 15.07.2016. Since the said representation did not evoke any response, the petitioner is before this Court.

2. Mr.R.Anadharaj, learned Government Advocate was put on notice for the respondents.

3. Since the Counseling is scheduled on 06.08.2016 and the petitioner has made a representation beforehand, the respondents are directed to consider the representation of the petitioner, dated 15.07.2016, on merits and in accordance with law and pass appropriate orders, within a period of two weeks from the date of receipt of a copy of this order or atleast before the commencement of counseling.

4. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

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