
(2014) 06 MAD CK 0288

In the Madras High Court

Case No : W.P. No. 14202 of 2014 and M.P. Nos. 1 to 3 of 2014

S. Mahadevan

APPELLANT

Vs

The Government of Tamilnadu

RESPONDENT

Date of Decision : 12-06-2014

Acts Referred:

Citation : (2014) 06 MAD CK 0288

Hon'ble Judges : S. Nagamuthu, J

Bench : Single Bench

Final Decision : Allowed

Judgement

S. Nagamuthu, J.—The petitioner is presently working as Panchayat Union Elementary School Headmaster. According to him, he is eligible for being considered for promotion to the post of Middle School Headmaster. In this regard, the Assistant Elementary Educational Officer, Jawadhu Union, by his proceedings in No. 458/A1/2013 dated 21.11.2013, submitted a proposal to the 3rd respondent herein for considering the case of the petitioner for promotion to the post of Middle School Headmaster. This Court also, in W.P.No.28205/2013 dated 10.10.2013, had directed the 3rd respondent to dispose of the representation of the petitioner in this regard. But, the 3rd respondent, by his proceedings in Na.Ka.No.5327/A2/2013 dated 04.12.2013, referring to the order passed by this Court dated 10.10.2013, so also the proposal of the Assistant Elementary Education Officer, has rejected the same on the ground that the petitioner is not eligible for being considered for promotion to the post of Headmaster of Middle School, because, he had not studied +2 course. The petitioner is aggrieved by the same and therefore, he is before this Court with this writ petition challenging the impugned order.

2. I have heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. Admittedly, the petitioner studied upto 10th standard, then joined diploma in

Teacher Education, which is of two years duration and then did B.LitT. But, according to the respondents, since the petitioner did not studied after 10th standard, + 2 course, that is before joining B.LitT. course, he is not eligible for being considered for promotion to the post of Middle School Headmaster.

4. The learned counsel for the petitioner would submit that this issue has already been well settled by this Court in a catena of decisions. The learned counsel would rely on the Judgment of this Court in W.P.No.25432 of 2011 batch (M.Valarmathi vs. Government of Tamilnadu, School Education Department.) wherein, by order dated 02.07.2014, on considering the very same issue, a learned Single Judge of this Court (Hon"ble Ms. Justice K.Suguna) has passed an order declaring that the diploma in Teacher Education which is of two years duration is equivalent to + 2 Course and therefore, those candidates who have studied 10th standard, then diploma in teacher education and thereafter B.Litt. are eligible for being considered for promotion either as B.T. Assistant or as Middle School Headmaster. Subsequently, in a batch of writ petitions in W.P.No.23382 of 2012 batch, (C.Thamaraiselvi & others vs. The Secretary to Government, School Education Department), by order dated 10.09.2012, I had an occasion to consider a similar issue. I agreed with the view taken by Hon"ble Ms. Justice K. Suguna and I have also allowed the batch of writ petitions with a direction to the educational authorities to treat the petitioners therein also as eligible for promotion to the post of B.T. Assistants/Middle School Headmasters, provided they have satisfied all other requirements. In yet another batch of writ petitions in W.P.No.22484 of 2012 etc. batch (E.Ganesan vs. Government of Tamil Nadu, School Education Department), the Hon"ble Mr. Jusitce K.Chandru has followed the Judgment of the Hon"ble Ms. K. Suguna and myself (cited supra) and have issued a similar direction. Thus, the law has been well settled, which does not require any further exploration.

5. In view of the above, in this writ petition, the petitioner is entitled for being considered for promotion to the post of Middle School Headmaster.

6. In the result, the writ petition is allowed and the respondent is directed to promote the petitioner as Middle School Headmaster by treating the diploma in teacher education as equivalent to +2 course, provided the petitioner satisfies all the other legal requirements, such as seniority, etc.

No costs. Connected miscellaneous petitions are closed.