

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.01.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

Writ Petition No.35088 of 2014

&

M.P.No.1 of 2014

B.M.Gowran

.. Petitioner

Vs.

1. The Director of School Education
Joint Director
DPI Campus, College Road
Chennai - 600 006

2. The Chief Educational Officer
Dharmapuri District, Dharmapuri

3. The Headmaster
Avvaiyar Government Girls Higher
Secondary School
Dharmapuri, Dharmapuri District

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings issued by the 1st respondent in O.Mu.88935/C2/E3/2014 dated 16.12.2014 and to quash the same in so far as reinstating the petitioner as B.T Assistant (Science) in the Government High School, Vathalmalaiperiyur, Dharmapuri Distirct and consequently directing the respondents to re-instate the petitioner at Avvaiyar Government Girls Higher Secondary School, Dharmapuri District in the existing vacancy with all consequential and other attendant benefits within a time to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondent : Mr.P.Sanjay Gandhi
Additional Govt. Pleader

O R D E R

The transfer order by which the petitioner was transfered from Avvaiyar Government Girls Higher Secondary School, Dharmapuri

District to Government High School, Vathalmalaiperiyur, Dharmapuri District is under challenge in this writ petition.

2. The petitioner was suspended from service pending initiation of Disciplinary proceedings. The order of suspension was later revoked. Thereafter, the petitioner was transferred to another institution in Dharmapuri District.

3. The transfer is an incident of service. The order of suspension has already been revoked. It was only during time of recalling the order of suspension, the petitioner was transferred to another institution. Therefore, I do not find any reason to interfere with the impugned order dated 16.12.2014.

3. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

gpa

-s/d-

Assistant Registrar(CO)

Dt:09/02/2015

True Copy

Sub-Assistant Registrar

To

1. The Director of School Education
Joint Director
DPI Campus, College Road
Chennai - 600 006

2. The Chief Educational Officer
Dharmapuri District, Dharmapuri

3. The Headmaster
Avvaiyar Government Girls Higher
Secondary School
Dharmapuri, Dharmapuri District

+ 1 cc to Mr.G.Sankaran, Advocate SR 4875

+1 cc to the Government Pleader SR 4762

ts(co)
prk12/2

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