

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25564 of 2015

S.Senthil

...Petitioner

vs.

- 1 State of Tamil Nadu  
Rep. by its Secretary to Government School  
Education Department Secretariat Chennai-  
600 009.
- 2 Director of School Education  
DPI Campus College Road Chennai-60 006.
- 3 The Chief Educational Officer  
Chief Educational Office Thiruvannamalai  
District.
- 4 The Chief Educational Officer  
Chief Educational Office Dharmapuri  
District.
- 5 The Head Master  
Govt. Boys Higher Secondary School  
Vettavalam  
Thiruvannamalai District.

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd Respondent to consider the Petitioner's representation dated 15.07.2015 for issuing transfer allotment order for the post of Graduate Teacher (Science) vacancies available in Government High Schools/Higher Secondary Schools in Pappirettipatti Taluk, Dharmapuri District before issuing the transfer orders to the Graduate Teachers through deployment counselling will be held on 26.08.2015 to 29.08.2015.

For Petitioner : Mr.J.Agni Selvaraju  
For Respondents : Mr.V.Subbiah  
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner joined the service as Graduate Teacher (Science - Chemistry) in Government Kallar High School at V.Kallapatti, Madurai District on 25.07.2006 and subsequently, transferred to Government Kallar Higher Secondary School at Kondamanayakkanpatti Dindugal District on 07.07.2008. The petitioner after completing probation, has applied for transfer from Kallar Reclamation Department to School Education Department. The first respondent passed G.O.(1D) No.86 School Education (HSE-2) Department dated 02.03.2011 agreeing to transfer the Teachers to the Government Schools working under the control of the second respondent. The petitioner is also one of the persons entitled to get the benefit under the said Government Order and he was also transferred to Government Higher Secondary School at Vettavalam, Thiruvannamalai District on 01.12.2014.

3.The petitioner thereafter approached the respondent for his transfer to Government High/ Higher Secondary Schools, Dharmapuri District and since no response was forthcoming, he also submitted a representation to the respondents 2, 3 and 4 on 15.07.2015 to consider his request for transfer to the said schools. The grievance expressed by the petitioner is that in respect of persons similarly placed, their request have been positively considered and whereas, the genuine request made by the petitioner, has not been considered.

4.The learned counsel appearing for the petitioner has drawn the attention of this Court to the order of this Court dated 27.06.2014 made in W.P.No.17036 of 2014 and would submit that in similar facts and circumstances, this Court has allowed the writ petition with direction directing the respondents therein to allow the petitioner therein, to participate in the counselling and on similar lines, his representation may be considered.

5.Heard the submissions of Mr.J.Agni Selvaraju, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

6.This Court taking into consideration the limited scope of the

prayer sought for by the petitioner and without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's representation dated 15.07.2015 on merits and in accordance with law and after taking note of the order of this Court dated 27.06.2014 made in W.P.No.17036 of 2014 and pass orders on or before 24.08.2015 and communicate the decision taken, to the petitioner.

7.The writ petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Secretary to Government School  
Education Department Secretariat  
Chennai- 600 009.
- 2 Director of School Education  
DPI Campus College Road Chennai-60 006.
- 3 The Chief Educational Officer  
Chief Educational Office  
Thiruvannamalai District.
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- 5 The Head Master  
Govt. Boys Higher Secondary School  
Vettavalam Thiruvannamalai District.

1 CC to Mr.J.Agni Selvaraju, Advocate SR.No. 43351  
1 CC to the Government Pleader, SR.No. 43848

W.P.No.25564 of 2015

PUR (CO)  
PSI (19.08.2015)