

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25917 of 2015

And

M.P.No.1 of 2015

K.Sundaram

... Petitioner

Vs.

1 The Director  
Directorate of School Education College  
Road Chennai 6

2 The Chief Educational Officer  
Ariyalur Ariyalur District

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner for posting the petitioner in Government Higher Secondary school, Oonjalur in Erode District on 23.8.2015 at the time of transfer counselling.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.K.Rajendra Prasad  
Government Advocate

O R D E R

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

2.The petitioner is having a Post Graduate Degree in Physics as well as Education and he was selected as Post Graduate Teacher by the Teacher Recruitment Board and was posted in Government Kallar Higher Secondary School, Kamupillai Chathiram, Sembatti via in Dindugal district and the school comes under the control of the Commissioner of Most Backward Classes and de-notified Communities, Chepauk, Chennai and subsequently, by an order dated 10.11.2010, his services were regularised from 29.08.2009 on completion of probation on 28.07.2010 vide order dated 22.04.2015. he was relieved from the Government Kallar Higher Secondary School, Sennappa Naicken Patti and was posted to the Government Higher Secondary School, Aiyyur in

Ariyalur District which comes under the control of the first respondent.

3.The petitioner would further state that he is a native of Karrur and according to him one vacancy arose for Post Graduate Assistant in Government Higher Secondary School, Oonjalur in Erode District on account of the promotion of the incumbent to the post of Head Master. The petitioner in this regard, has also submitted a representation to participate in the counselling held on 23.08.2015 and according to him, the said vacancy has not found place in the places for which the counselling is to be held and in this regard submitted a representation dated 06.08.2015 and since no orders were passed, came forward to file this writ petition.

4.Heard the submissions of Mr.M.Gnanasekar, learned counsel appearing for the petitioner and Mr.K.Rajendra Prasad, learned Government Advocate who accepts notice on behalf of the respondents.

5.The learned Government Advocate would submit that the claim of the petitioner may not be considered for the reason that he has submitted the application to participate in the counselling within a period of one year from the date of his present posting.

6.This Court without going into the merits of the claim projected by the petitioner directs the second respondent to consider and dispose of the petitioner's representation dated 06.08.2015 on merits and in accordance with law and pass orders on or before 23.08.2015 and inform the decision taken, to the petitioner.

7.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-d/-

Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

To

- 1 The Director  
Directorate of School Education College  
Road Chennai 6
  - 2 The Chief Educational Officer  
Ariyalur Ariyalur District
- +1 cc to Mr.M.Gnanasekar, Advocate sr.44327

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aa21/08/2015