

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33392/2015 & MP.Nos.1&2/2015

R.Sivakumar

.. Petitioner

Versus

1.The Secretary
Government of Tamilnadu
Higher Education Department
Fort St George, Chennai 600 009.

2.the Director of Collegiate Education
College Road, chennai 600 006.

3.The Principal
Arignar Anna Government Arts College
Musiri.621 211

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of certiorari calling for the entire records which culminated in issuing the order in G.O.Ms.No.348, Higher Education [F2] Department dated 21.09.2015 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.T.Sellapandian

For Respondents : Mr.V.Subbiah, Spl.GP

ORDER

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

2 The petitioner was given appointment as Assistant Professor pursuant to the recruitment done by the Teachers Recruitment Board during the year 2012 and also in terms of G.O.Ms.No.190, Higher Education Department, dated 22.07.2015 and he was posted as Assistant Professor [Botany] at Arignar Anna Government Arts College at Musiri. The petitioner prayed for transfer to Tiruppur and the 1st respondent, vide G.O.Ms.No.348 of the very same department dated 21.09.2015, has cancelled the place of appointment and transferred the

petitioner to LRG Government Women's Arts College at Tiruppur and challenging the legality of the order, the petitioner has filed this writ petition.

3 Learned counsel for the petitioner would submit that the 3rd respondent by mis-interpreting the order, is taking steps to recover the salary already paid to him and also informed the petitioner that the order of appointment given to the petitioner on 22.07.2015 has been cancelled and he has been posted to LRG Government Women's Arts College at Tiruppur as a fresh entrant/candidate. In this regard, he has submitted a representation dated 08.10.2015 to the 2nd respondent and since no orders have been passed, the petitioner has been constrained to approach this Court by filing this writ petition. It is also the submission of the learned counsel for the petitioner that as on today, the petitioner is not yet relieved from Arignar Anna Government Arts College, Musiri and nobody has also been posted in the said place.

4 This Court heard the submissions of Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 08.10.2015 on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. Till then, the respondents are directed to maintain status quo as exists today.

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

-sd-

Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1.The Secretary
Government of Tamilnadu
Higher Education Department
Fort St George, Chennai 600 009.

2.the Director of Collegiate Education
College Road, chennai 600 006.

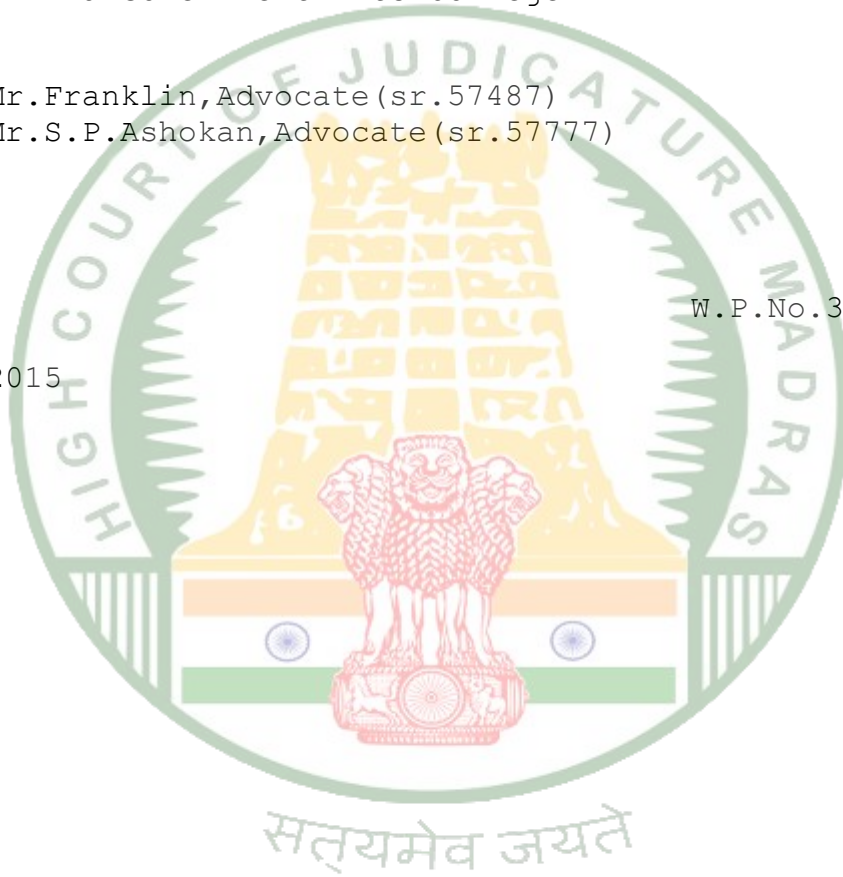
3.The Principal
Arignar Anna Government Arts College
Musiri.

+1 cc to Mr.Franklin,Advocate(sr.57487)

+1 cc to Mr.S.P.Ashokan,Advocate(sr.57777)

UGS (co)
cp 20/10/2015

W.P.No.33392/2015



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