



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Fourth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU

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SUB A(MD) No.236 of 2015
IN
CONT P(MD) No.791 of 2015

MR.SANKARANARAYANAN,
THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
O/O.DISTRICT ELEMENTARY EDUCATIONAL OFFICE,
VIRUDHUNAGAR DISTRICT. ... PETITIONER/RESPONDENT

Vs

B.MANIKANDAN, ... RESPONDENT/PETITIONER

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the order passed by this Honourable Court on 03.11.2015, in the above Contempt in Cont P(MD)No.791 of 2015 by deleting the word favourably in paragraph 1 of the said order.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.MURUGANANDHAM, Additional Government Pleader, Advocate for the petitioner and of Mr.S.Arivalaghan, Advocate on behalf of the Respondents the court made the following order:-

This sub-application is filed seeking for modifying the order passed by this court on 03.11.2015 only to delete the word "favourably" in paragraph 1 of the said order by contending that the District Educational Officer is not having any power or authority to decide the transfer request from one district to another.

2. It appears that the present sub-application is filed totally by misconstruing the order passed by this court as though this court has directed the District Educational Officer to consider the representation of the petitioner favourably. On the other hand, this court has directed the petitioner to make a representation to the Director of Elementary Education and further observed that such representation will be considered favourably. Therefore, it is needless to say that, the Director of Elementary Education is the authority, who has to consider the representation of the petitioner favourably. Consequently, I find the present petition seeking for modification is totally unwarranted. Accordingly, the same is dismissed.

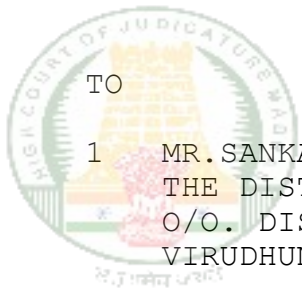
3. The learned Additional Government Pleader seeks one week time to report compliance. Post the contempt petition on 11.12.2015 for reporting compliance.

sd/-
04/12/2015

/ TRUE COPY /

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Sub-Assistant Registrar (C.S.)



TO

1 MR. SANKARANARAYANAN,
THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
O/O. DISTRICT ELEMENTARY EDUCATIONAL OFFICE,
VIRUDHUNAGAR DISTRICT.

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CSL/SKS-RR/SAR-II/09.12.2015
2p/2c

ORDER
IN
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IN
CONT P (MD) No.791 of 2015
Date :04/12/2015