

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.1440 of 2016
and
WMP.Nos.1202 to 1204 of 2016

V.Sumathi

.. Petitioner

Vs.

1. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
2. The Chief Educational Officer,
Panagal Building,
Saidapet, Chennai - 600 015.
3. The District Educational Officer,
Chennai Central,
Chennai - 600 015.
4. The Secretary,
Raja Muthiah Higher Secondary School,
Raja Annamalaipuram,
Chennai-28.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the second respondent in his proceedings Na.Ka.No.7992/A6/2014 dated 23.12.2014 and Na.Ka.No.7992/A6/2014 dated 11.06.2015 and quash the same, and direct the respondents to confer all the consequential benefits on the petitioner.

For Petitioner : Mr.C.Selvaraj, Senior counsel
for M/s.C.S.Associates

For Respondent : Mr.V.Jayaprakash Narayanan
Nos.1 to 3 Special Government Pleader

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The learned Senior counsel appearing for the petitioner would submit that though the petitioner has filed the writ petition to quash the orders of the second respondent, it would be suffice to direct the second respondent to consider the representation of the petitioner dated 14.10.2015. He further submitted that the petitioner was appointed as B.T. Assistant on 23.03.2007 in the fourth respondent school and her appointment was also approved by the respondents 1 to 3 from 23.03.2007 while so, the second respondent passed an order on 23.12.2014 declaring four B.T. Assistants and one Secondary Grade Teacher as surplus and allotted them to various private schools.

3.The learned Senior counsel for the petitioner would submit that staff fixation was determined by the department by way of inspection and by the said process, staff fixation was determined for the year 2014-15 by the respondents, in which, they have declared two B.T. Assistants as surplus.

4.The grievance of the petitioner is that her juniors namely, R.Jothi and R.Vidya have been retained in the fourth respondent school, whereas the petitioner was transferred to St.Rapheal Girls Higher Secondary School, Chennai-4 on redeployment. Aggrieved over the action of the respondents, she gave a representation on 14.10.2015. Since no action has been forthcoming, the present Writ Petition has been filed by the petitioner.

5.Heard the submissions of Mr.C.Selvaraj, learned Senior counsel appearing for the petitioner and Mr.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

6.Considering the submission made by the learned Senior counsel for the petitioner, this writ petition is disposed of, directing the second respondent to consider the representation of the petitioner dated 14.10.2015 and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is also closed. No costs.

DP

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

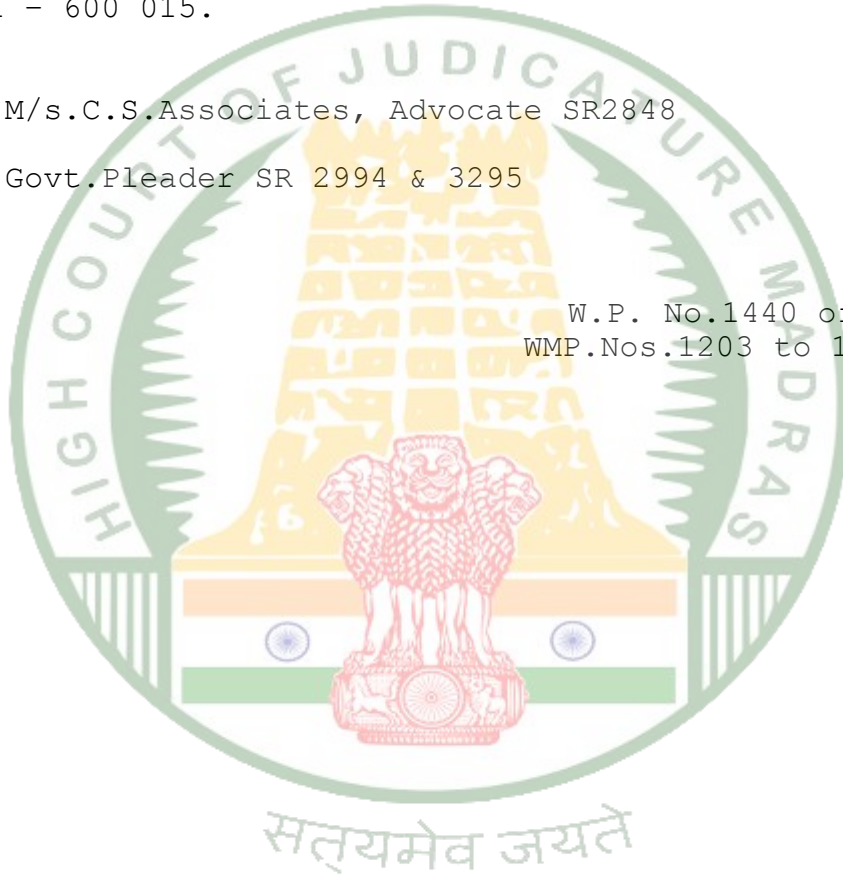
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3. The District Educational Officer,
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Chennai - 600 015.

+ 1 cc to M/s.C.S.Associates, Advocate SR2848

+ 1 cc to Govt.Pleader SR 2994 & 3295

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