

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2016

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE V.PARTHIBAN

Writ Appeal No.1505 of 2016
and CMP.No.18585 of 2016

J.Vellaidurai

..Appellant

Vs

1.The Director of School Education
Directorate of School Education
Department (Higher Secondary)
College Road, Chennai-6

2.The Chief Educational Officer
O/o. The Chief Educational Office
Thiruppur
Thiruppur District

3.M.Palanichamy

...Respondents

Prayer: Appeal filed against the order passed by this Court in W.P.No.32525 of 2016 dated 06.10.2016.

WP.32525/16: Praying for issuance of a writ of certiorari calling for the records relating to the impugned transfer order passed by the 1st respondent in his proceedings in Na.Ka.No. 109/C1/E1/2016 dated 11.08.2016 and consequential relieving order passed by the 2nd respondent in his proceedings in Na.Ka.No.4433/A1/2016 dated 12.08.2016 and quash the same as illegal.

For Appellant : Mr.S.Nambi Arooran

For Respondents: Mr.R.Prathap Kumar,
Addl.Govt.Pleader for R1 and R2.

JUDGMENT

(Delivered by Huluvadi G.Ramesh,J)

The appellant has come up with the above appeal challenging the order passed by the learned single Judge dated 06.10.2016 in W.P.No.32525 of 2016.

2. Heard the learned counsel for the appellant and Mr.R.Prathap Kumar, learned Additional Government Pleader for respondents 1 and 2.

3. The learned single Judge, by order dated 06.10.2016, held as follows:

" 6. In the counter affidavit, it has been stated that due to family situation, the petitioner was taking frequent leave and in the interest of the administration, the second respondent has recommended the first respondent to transfer the petitioner to a nearby school and moreover, the distance between his residence and the present school is only within 6 kms., and the petitioner is not transferred to a far off place and in this situation, I do not find any merit in this writ petition. "

4. A perusal of the order of the learned single Judge would make it clear that there is no merit in the grounds raised by the appellant/writ petitioner. Therefore, the Writ Appeal is dismissed as there is absolutely no merit in the grounds raised and we find no illegality or irregularity in the order passed by the learned Single Judge. Even assuming that the order of transfer is passed against the appellant herein, on some allegations and transfer from one place to another place, is not convenient to him, the same would be subject to the result of the enquiry in the departmental proceedings, if any held against him, in which case, the appellant herein would be given sufficient opportunity to put forth his case.

5. This writ appeal is disposed of accordingly. There shall be no order as to costs. Consequently, connected CMP is closed.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1.The Director of School Education
Directorate of School Education
Department (Higher Secondary) College Road, Chennai-6

2.The Chief Educational Officer
O/o. The Chief Educational Office
Thiruppur, Thiruppur District.

+1 cc to M/s.Ajmal Associates, advocate, sr.68918

+1 cc to Govt.Pleader, sr.69688.

svi(co)

krd 9/1

W.A.No.1505 of 2016