

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2016

CORAM

THE HON'BLE MR. JUSTICE B.RAJENDRAN

W.P.No. 27941 of 2016
and W.M.P.No.24114 of 2016

V.Thilagam

.. Petitioner

Vs.

1.The Director of Elementary
Education
D.P.I.Campus
College Road
Chennai-600 006.

2.The District Elementary
Educational Officer
Villupuram District
Villupuram-605 602.

3.The Assistant Elementary
Educational Officer
Melmalayanur Panchayat Union
Melmalayanur
Villupuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Ceriorarified Mandamus, to call for the entire records relating to the order passed in Na.Ka.No.2443/A3/2016, dated 06.08.2016 on the file of the second respondent and quash the same and consequently, to direct the respondents to post the petitioner as Elementary School Headmistress (lower post) at any one of the Elementary Schools in Melmalayanur Panchayat Union, Villupuram District, under the scheme of "Reversion under willing" by considering the petitioner's representation, dated 07.08.2016 and pass such further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.C.Munusamy

For Respondents : Mr.K.V.Dhanapalan
Additional Government Pleader

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Certiorari Mandamus, to call for the entire records relating to the order passed in Na.Ka.No.2443/A3/2016, dated 06.08.2016 on the file of the second respondent and quash the same and consequently, to direct the respondents to post the petitioner as Elementary School Headmistress (lower post) at any one of the Elementary Schools in Melmalayanur Panchayat Union, Villupuram District, under the scheme of "Reversion under willing" by considering the petitioner's representation, dated 07.08.2016.

3. The petitioner was appointed as Secondary Grade Teacher at the Panchayat Union Middle School, Risivanthiyam Panchayat Union, in the year 1989. Subsequently, the petitioner got several promotions. The petitioner has been further promoted as B.T.Assistant and posted at Panchayat Union Middle School, Melmalayanur Panchayat Union vide proceedings of the 2nd respondent, dated 18.06.2014. The 2nd respondent has passed the impugned order, dated 06.08.2016, by which, she was transferred to the Panchayat Union Middle School, Koliyanur Panchayat Union. The petitioner has made a representation on 07.08.2016 expressing her willingness to be downgraded from the post of B.T.Assistant to the post of Elementary School Headmistress and requesting to post her in any one of the Elementary School in Melmalayanur Panchayat Union, Villupuram District, as Headmistress. Since, the same was not considered so far, the petitioner has filed the present Writ Petition.

4. Mr.C.Munusamy, the learned counsel for the petitioner would submit that the petitioner is deployed in another school for want of students and now that she is prepared to be downgraded from the post of B.T.Assistant to the post of Elementary School Headmistress and requesting to post her in any one of the Elementary School in Melmalayanur Panchayat Union, Villupuram District, as Headmistress, she has made a representation to the 2nd respondent on 07.08.2016, but, the same was not considered till date and hence, he would submit that the petitioner would be satisfied, if the 2nd respondent is directed to consider and pass orders on the representation of the petitioner, dated 07.08.2016.

5. Mr.K.V.Dhanapalan, the learned Additional Government Pleader, who takes notice on behalf of the respondents, has got no serious objection in directing the 2nd respondent to consider the representation of the petitioner and to pass appropriate orders, on merits and in accordance with law.

6. Taking into consideration that the petitioner has restricted the relief sought for in the Writ Petition, this Court, without going into the merits of the claim made by the petitioner, directs the 2nd respondent to consider the representation of the petitioner, dated 07.08.2016 and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of one month from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7. The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

paa

To

- 1.The Director of Elementary Education
D.P.I.Campus
College Road
Chennai-600 006.
- 2.The District Elementary Educational Officer
Villupuram District
Villupuram-605 602.
- 3.The Assistant Elementary Educational Officer
Melmalayanur Panchayat Union
Melmalayanur
Villupuram District.

+ 1 cc to M/s. C. Munusamy, Advocate SR.45728
+1cc to M/s. C. Munusamy, Advocate, S.R.No.45728
+1cc to the Government Pleader, S.R.No.45949

RP(CO)
EU(07/09/2016)

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