

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.08.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.29389 of 2016

T.Murugan .. Petitioner

Vs.

1.The Joint Director [Personal],
School Education Department,
Chennai - 600 006.

2.The District Educational Officer,
School Education Department,
Thiruvannamalai District.

3.The Government Boys Higher
Secondary School,
Thanippadi, Thandarampattu Taluk,
Thiruvannamalai District.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to transfer petitioner to the post of Deputy Inspector of Schools from the post of B.T.Assistant available in the office of the second respondent by considering petitioner's representation dated 02.12.2015 and dispose of the same in accordance with law on merits, in a stipulated time.

For Petitioner : Mr.N.Naganathan

For Respondents : Mrs.Rani Selvam

Additional Government Pleader

ORDER

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

2.This Writ Petition has been filed to issue a Writ of Mandamus, to direct the first respondent to transfer the petitioner to the post of Deputy Inspector of Schools from the post of B.T. Assistant available in the office of the second respondent by considering petitioner's representation dated 02.12.2015 and dispose of the same in accordance with law, on merits.

3.The petitioner joined service as Secondary Grade School Teacher in the year 1989 and promoted as B.T. Assistant on

19.01.2004 and presently working as Teacher in the third respondent School. While so, there is Deputy Inspector of Schools post is available in the second respondent office. According to the petitioner, the post of B.T.Assistant and the post of Deputy Inspector of Schools are one and the same and hence, he made representation to the first respondent to transfer him to the said post but till date no orders have been passed and hence, the Writ Petition has been filed.

4.Mr.N.Naganathan, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if his representation is directed to be considered and appropriate orders are passed as expeditiously as possible.

5.Mrs.Rani Selvam, learned Additional Government Pleader for the respondents has got no serious objection for directing the first respondent, who is the competent authority to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law.

6.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the first respondent, to consider the representation of the petitioner, dated 02.12.2015, and pass appropriate orders, on merits and in accordance with law. 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. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1.The Joint Director [Personal],
School Education Department,
Chennai - 600 006.

2.The District Educational Officer,
School Education Department,
Thiruvannamalai District.

3.The Government Boys Higher
Secondary School,
Thanippadi, Thandarampattu Taluk,
Thiruvannamalai District.

+1 cc to Govt.Pleader,sr.48033

+1 cc to Mr.N.Naganathan,advocate,sr.47841.

msm(co)
krd9/9

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