

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08-02-2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.Nos.4116 to 4123 of 2016
and
WMP.Nos.3436 to 3451 of 2016

Dr. J. Vaidehi .. Petitioner in WP 4116/16
Dr.S.Sivasankaramoorthy .. Petitioner in WP 4117/16
Dr.J.Sekar .. Petitioner in WP 4118/16
Dr.R.K.Shivananth .. Petitioner in WP 4119/16
Dr.P.Ronald Ross .. Petitioner in WP 4120/16
Dr.Manivasagaperumal .. Petitioner in WP 4121/16
Dr.G.Thiyagarajan .. Petitioner in WP 4122/16
Dr.S.Karthikeyan .. Petitioner in WP 4123/16

Vs

- 1 The Director of
Collegiate Education
College Road Chennai- 6.
- 2 The Annamalai University
Rep. by the Registrar Chidambaram
Cuddalore District.
- 3 The Principal
K.N. Government Arts College for Women
Tanjavur Tanjavur District.
4. The Principal
Arignar Anna Government Arts College,
Attur, Salem District ...3rd Respondent in
WP.No.4117/16 & 4123/16
- 5 The Principal
L.N.Government Arts College,
Ponneri, Thiruvallur District ..3rd Respondent in
WP.NO.4118/16
6. The Principal
M.R.Government Arts College,
Mannargudi, Tiruvarur District ...3rd Respondent in
WP.No.4119/2016

7. The Principal
Government Arts College,
Ariyalur, Ariyalur District ...3rd Respondent in
WP.NO.4120/16
8. The Principal Government Arts
College Krishnagiri,
Krishnagiri District ...3rd Respondent in
WP.No.4121/16
9. The Principal
Arignar Anna Government Arts
College(men)
Namakkal, Namakkal District ...3rd Respondent in
WP.NO.4122/16

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the record from the 1st respondent in his proceedings in Na.Ka.No. 28403/D5/2015 dated 29.01.2016 and quash the same.

For petitioner Mr.D.Selvam
in all petitions : for Mr.N.Sathish Babu

For R1 & R3 : Mr.R.Vijayakumar
in all petitions Additional Government Pleader

For R2 : Mr.R.Sureshkumar

C O M M O N O R D E R

These writ petitions have been filed challenging the impugned order dated 29.1.2016 passed by the first respondent and to quash the same, inter alia, among other grounds, that the same is unjust and arbitrary since it has been passed without giving reasonable opportunity to the petitioners and violating the principles of natural justice.

2. The learned counsel for the petitioners would submit that the petitioners, being the Assistant Professors, are teaching the students under the second respondent University and in the event of disturbing them in the middle of the academic year, the paramount interest of the students would be put to peril and G.O.Ms.No.10 Personnel and Administration Department, dated 07.01.1994 also prohibits transfer of Government Servants after the commencement of academic year. Mr.D.Selvam would submit that it is a settled legal position that during the academic year, no teacher or Government Servant shall be disturbed. Since the

impugned orders go against their own Government Order in G.O.Ms.No.10 Personnel and Administration Department, dated 07.01.1994, the same are liable to be interfered with. Adding further, he stated that at best, if the present impugned order is kept in abeyance till the completion of the academic year, the same would serve the purpose because the petitioners' children are also going to educational institution and the transfer of the petitioners during the academic year would create family problem also.

3. Mr.R.Vijayakumar, the learned Special Government Pleader, appearing for the respondents 1 and 3 and Mr.R.Sureshkumar, learned counsel appearing for the second respondent Annamalai University urged this Court to dismiss all the writ petitions since all the petitioners had already joined duty in respective Government Colleges in support of which, he has produced the order dated 05.2.2016 on record.

4. The proceedings issued by the Department of Collegiate Education in RC.No.28403/D5/2015 dated 05.02.2016 shows that the petitioners herein have already joined duty in the respective places where they have been ordered to join.

5. In view of the same, nothing survives in the writ petitions and the writ petitions stand dismissed as not maintainable. No costs. Consequently, connected miscellaneous petitions are also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

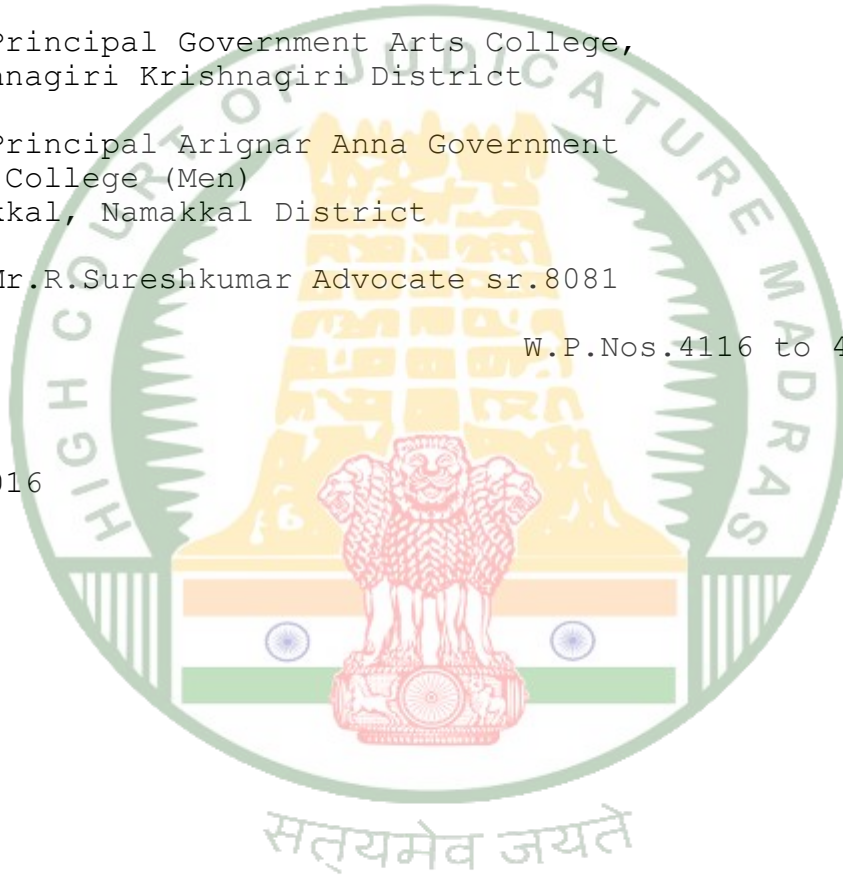
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Arts College (Men)
Namakkal, Namakkal District

+1 cc to Mr.R.Sureshkumar Advocate sr.8081

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