



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD) .No.13809 of 2016

and

W.M.P. (MD) .No.10305 of 2016

S.Angayarkanni

... Petitioner

Vs

1.The State of Tamil Nadu,
rep.by its Principal Secretary
Department of School Education,
Fort.St.Geroge,
Secretariat,
Chennai-600 009.

2.The Director of Elementary Education,
Chennai-06.

3.The District Elementary Educational Officer,
Virudhungar, Virudhungar District.

... Respondents

4.The District Elementary Educational Officer,
Vellore, Vellore District.

(R.4 was impleaded by this Court through W.M.P.
(MD).No.10657 of 2016 in W.P.(MD).No.13809 of
2016, on 09.08.2016)

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the second respondent to transfer the petitioner to the available vacant post of Secondary Grade Teacher within Kariapatti Union in Virudhungar District ahead of the regular deployment transfer and transfer within the union/district, with the time stipulated by this Court.



For petitioner : Mr.T.Lajapathi Roy
For respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

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ORDER

The petitioner herein, Mrs.S.Angayarkanni, presently serving as a Secondary Grade Teacher at Alangayam Union, Vellore District, from 22.07.2014 onwards, by stating that on 09.11.2015 her husband passed away due to sudden heart attack and that she is left with a daughter, aged about five years, sought for transfer from Vellore to her native place, namely, Virudhungan District through her representations dated 16.12.2015 and 22.07.2016. It is stated that, as per Clause No.7 found in G.O.Ms.(1D)No.258, School Education Department, dated 06.07.2016, those teachers, who lost the spouse on disease or on illness after 01.06.2015, can be issued with transfer order to their native place, as a special case. Despite the same, the representations of the petitioner have not been considered, which impelled the petitioner to approach this Court.

2. Mr.Mohammed Mohideen, learned Additional Government Pleader, after getting instructions from the fourth respondent, submitted that the General Counselling is going to take place from 12.08.2016 to 21.08.2016 and the respondents are also receiving applications through online. He states that the petitioner may be directed to send her application through online and on receipt of the same, the respondents will consider the request of the petitioner.

3. Considered the submissions made on either side and perused the materials available on record.

4. No doubt, the petitioner is eligible to take part in the Counselling, however, as per Clause No.7 found in G.O.Ms.(1D) No.258, School Education Department, dated 06.07.2016, the respondents are bound to consider the plea of the petitioner. Therefore, while directing the petitioner to send her application through online at the earliest, this Court in parallel, directs the respondents more particularly, the fourth respondent, who is impleaded as one of the respondents in this Writ Petition, to consider the plight of the petitioner who lost her husband and now, she is left with a small child, aged about five years, and pass appropriate orders accommodating her in Kariapatti Union in Virudhungan District, within a period two weeks from the date of



5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

- 1.The Principal Secretary
The State of Tamil Nadu,
Department of School Education,
Fort.St.Geroge,
Secretariat,
Chennai-600 009.
- 2.The Director of Elementary Education,
Chennai-06.
- 3.The District Elementary Educational Officer,
Virudhungan, Virudhungan District.
- 4.The District Elementary Educational Officer,
Vellore, Vellore District.

+1CC to M/S.T.Lajapathi Roy, Advocate, SR.No. 43128

W.P(MD) .No.13809 of 2016
09.08.2016

Ssm
AM/GSV/SAR-III/10.08.2016/3P/6C (IT)