



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD) .No.15441 of 2016

and

W.M.P. (MD) .No.11368 of 2016

C.Hepsiba

... Petitioner

Vs

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

2.The Director of Elementary Education,
O/o. The Director of Elementary Education,
D.I.E.Campus, College Road,
Nungambakkam, Chennai-600 006.

3.The District Elementary Education Officer,
O/o.the District Elementary Education,
Swamynelliappar High Road,
Tirunelveli-627 001,
Tirunelveli District.

4.The Assistant Elementary Education Officer,
O/o.Assistant Elementary Education,
Vasudevanallur-627 758,
Tirunelveli District.

5.The Additional Elementary Education Officer,
O/o.the Additional Elementary Education,
Manur,Madhavakurichi Post,
Tirunelveli - 627 201,
Tirunelveli District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the third respondent to consider the petitioner's representation dated 25.07.2016 and to appoint the petitioner to the post of B.T.Assistant (Maths) in Maanur Panchayat Elementary School.

For petitioner : Mr.C.Venkateshkumar for
M/s.S.E.Monica Vincent

For Respondents : Mr.R.Anandharaj
Government Advocate

**ORDER**

The petitioner herein, Mrs.C.Hepsiba, who is presently serving as a B.T.Assistant (Maths) at Vasudevanallur Panchayat Middle School, Tirunelveli District, since 2010 onwards, has come up with this Writ Petition for a direction to the respondents to transfer her at Maanur Panchayat Union Middle School, Tirunelveli District, where his husband is working.

2. The case of the petitioner is that she is presently working at Maanur Panchayat Union Middle School, Tirunelveli District on deputation basis and that on account of the promotion of one Sivabalakrishnan, promoted as Headmaster, there is a vacancy in the said School. In this regard, the petitioner has sent a representation to the respondents requesting them to accommodate her in the said vacancy at Maanur Panchayat Elementary School, Tirunelveli District. Since the same has not been considered by the respondents, the petitioner is before this Court.

3. Learned counsel for the petitioner submitted that the petitioner and her husband has been working separately at different places for more than five years with two school going children. On an earlier occasion also, the petitioner had approached this Court to consider his representation by filing a W.P.(MD).No.5976 of 2012. Pursuant to the disposal of the said Writ Petition, on 16.10.2014, she has been posted as B.T.Assistant (Maths) at Maanur Panchayat Union Middle School, Tirunelveli District, on deputation basis. Inasmuch as a vacancy has arisen in Maanur Panchayat Union Middle School, due to promotion of one Sivabalakrishnan as Headmaster, he pleaded, atleast, this time, the request of the petitioner may be considered favourably, as per the relevant Government Orders on Spouse Quota.

4. Mr.R.Anandharaj, learned Government Advocate, submitted that the request of the petitioner, will be considered on merits.

5. Considering the plight of the petitioner as she has got two school going children and also, she is eligible as per the spouse quota provided in the Government Orders, the third respondent is hereby directed to consider the grievance of the petitioner as mentioned in her representation dated 25.07.2016 and pass appropriate orders thereon, within a period two weeks from the date of receipt of a copy of this order.

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

Sd/
Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar



To

1. The Secretary,
The State of Tamil Nadu,
Department of School Education,
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2. The Director of Elementary Education,
O/o. The Director of Elementary Education,
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+1cc to M/S.S.E.Monica Vincent, Advocate in SR.No.46506

+1cc to Special Government Pleader in SR.No.46132

W.P (MD) .No.15441 of 2016
19.08.2016

ssm

PA/KP/SAR I/24.08.2016/3P/8C