

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4.8.2017

CORAM

**THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE G.JAYACHANDRAN**

**W.A.No.898 of 2017
and
C.M.P.No.12589 of 2017**

Dr.G.M.Nasira

Appellant

Versus

1. The Director of College Education,
DPI Campus, College Road,
Chennai 600 006.

2. J.Backiamani

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 23.6.2017 passed in W.P.No.15950 of 2017 on the file of this court.

For appellant

: Mr.C.Prabakaran

For R1

: Mr.R.Prathapkumar, AGP

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and the learned Additional Government Pleader, who takes notice for the first respondent.

2. It appears that being aggrieved by the order of transfer of the second respondent, the petitioner/appellant is before this court. The reasoning given by the learned Single Judge is that the second respondent is

an Assistant Professor of Computer Sciences working in the Department of Computer Applications and as such the contention that she cannot be brought into the Computer Applications cannot have any force.

3. On perusal of the materials produced, we find that the petitioner is also an Assistant Professor of Computer Sciences in the Department of Computer Applications. Similarly, the second respondent is also working as Assistant Professor working in the Department of Computer Applications. In the absence of any impact on the seniority of the petitioner, there is no meaning in challenging the order. We do not find any illegality in the order passed by the learned Single Judge. It appears that as on the date of joining of service, the petitioner is senior to the second respondent. It is needless to mention that annually seniority would be maintained and since the second respondent has been posted as Assistant Professor in the same Department where the petitioner is working, if the seniority of the petitioner is affected, he is at liberty to challenge the very fixation of seniority. The present writ petition is a premature one and we are not inclined to endorse the wishful thinking of the appellant/petitioner. The writ appeal is dismissed. No costs. The connected miscellaneous petition is also dismissed.

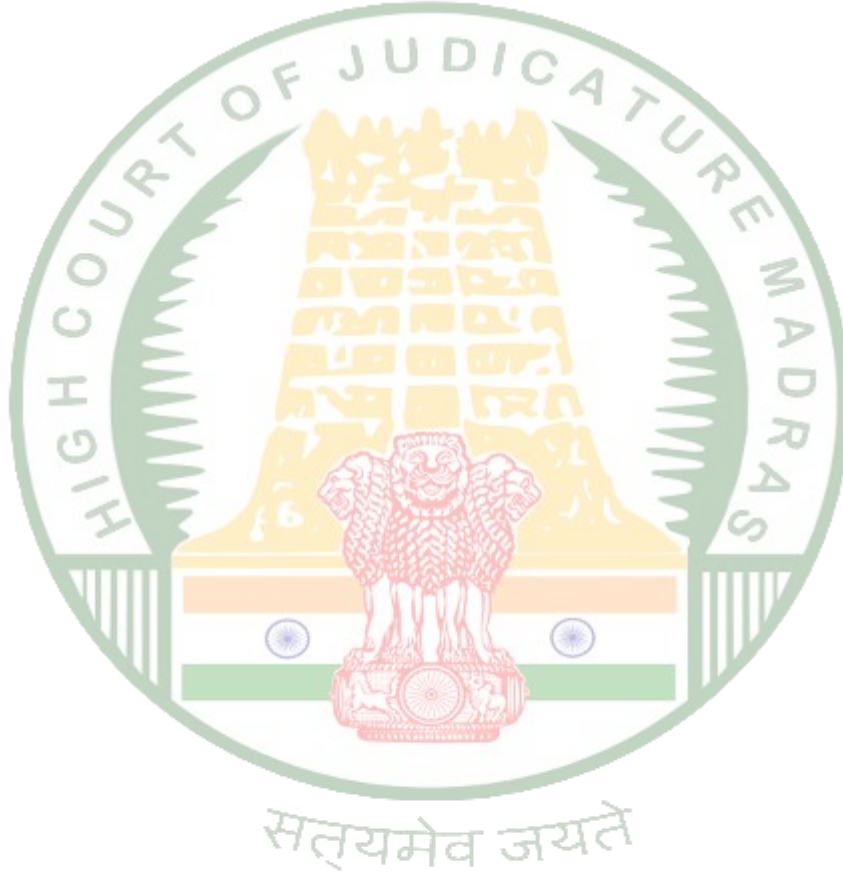
(H.G.R.,J.)(G.J.,J.)

4.8.2017.

Index:Yes/No
Internet:Yes/No
ssk.

To:

The Director of College Education,
DPI Campus, College Road,
Chennai 600 006.



WEB COPY

**HULUVADI G. RAMESH, J.
AND
G.JAYACHANDRAN, J.**

ssk.



W.A.No.898 of 2017

WEB COPY

4.8.2017.