

In the High Court of Judicature at Madras

Dated : 13.11.2017

Coram :

The Honourable Mr.Justice S.M.SUBRAMANIAM

W.P.No.29719 of 2013

and

M.P.Nos.1 and 2 of 2013

C.Sekar

... Petitioner

Vs

1. The Chief Education Officer,
District Master Plan Complex,
Villupuram, Villupuram District,
Pincode- 605 602.
2. The District Education Officer,
Villupuram Education District,
District Master Plan Complex,
Villupuram, Villupuram District,
Pincode- 605 602.
3. The Head Master,
Government High School,
Villupuram District,
Seerpathanallur,
Kadambur Post,
Sankarapuram Taluk,
Villupuram District
Pincode-605 802

... Respondents

Prayer: Petition under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records from the first respondent relating to his order bearing Na.Ka.No.9051/AA4/2013, dated 12.07.2013 and quash the same and award costs.

For Petitioner : Mr.S.Ayyathurai

For Respondents: Mrs.K.Bhuvaneswari

Special Government Pleader

ORDER

The learned Government Advocate appearing for the respondents made a submission that the order impugned in this writ petition in relation to the transfer of the writ petitioner in proceedings dated 12.07.2013 was already cancelled by respondents in proceedings dated 18.11.2013. The fact regarding the cancellation has been stated by the 1st respondent in paragraph 7 of the affidavit filed in this writ petition. In view of the fact that the impugned order has been cancelled already and further, the impugned order is relating to transfer. No further adjudication is required in this writ petition.

2. Transfer being incidental to service more so, a condition of service. The order of transfer in this writ petition was issued by the respondents in proceedings dated 12.07.2013 and already three years lapsed and the writ petitioner has been allowed to continue in the same post for more than three years. Thus, it is left open to the respondents to permit the petitioner to participate in any other next counselling or issue orders of transfers. As far as the present impugned order in this writ petition is concerned, the respondents themselves have cancelled the same and therefore, it is left open to the authorities to take further action in this regard if necessary.

3. Accordingly, Writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vv
To

1. The Chief Education Officer,
District Master Plan Complex,
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Kadambur Post,
Sankarapuram Taluk,
Villupuram District
Pincode-605 802

+1cc to Mr.S.AYYATHURAI, Advocate, S.R.No. 80195

+1cc to the Government Pleader, S.R.No. 80974(19/12/2017)

W.P.No.29719 of 2013

SK(CO)
TR(06/12/2017)



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