



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.08.2017
CORAM:
THE HONOURABLE MR.JUSTICE T.RAJA

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W.P. (MD) No.16025 of 2017
and
W.M.P. (MD) No.12686 of 2017

P.Rengavathi

.. Petitioner

Versus

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Department of School Education,
Fort St. George,
Chennai - 600 006.

2.The Director of Elementary Education,
College Road,
Chennai - 600 006.

3.The District Elementary Educational Officer,
Nagercoil,
Kanyakumari District.

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

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to accommodate the petitioner as Secondary Grade Teacher in any one of the vacancies available in the Government Primary/Middle School at Kanyakumari District under spouse priority category at Government Middle School at (1) Kavimani Government Primary School, Nagercoil Region, Kanyakumari District, (2) Sarakkalvilai Government Primary School, Nagercoil Region, Kanyakumari District, (3) Peruvilai Government Primary School, Rajakkamangalam Region, Kanyakumari District, by way of transfer from the present Panchayat Union Primary School, Vellimalaipatti, Kottampatti Panchayat Union, Madurai District.

For Petitioner : Mr.R.Ruseel Raj

For Respondents : Mr.R.Karthikeyan

Additional Government Pleader

O R D E R

<https://hcservices.ecourts.gov.in/MsgrvRes/K> Mr.R.Karthikeyan, learned Additional Government Pleader takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal.



2.The petitioner has come to this Court for issuance of a Writ of Mandamus, directing the respondents herein to accommodate her as Secondary Grade Teacher in any one of the vacancies available in the Government Primary/Middle School at Kanyakumari District, under spouse priority category.

3.The petitioner was appointed as Secondary Grade Teacher in the Panchayat Union Primary School, Velliampatti, Kottampatti Union, Madurai District on 13.10.2004. After completing her probation, she has made a representation for her transfer from the Panchayat Union Primary School, Velliampatti, Kottampatti Union, Madurai District to any one of the Schools situated at Kanyakumari District, where her husband M.Arulthurai [EDP No.3474] is working as Conductor in the Tamil Nadu State Transport Corporation taking care of her two children, viz., A.Arun Prakash, aged 20 years and A.Aruna, aged 18 years. As the petitioner's family is living 300 Kilometers away from her work station, she has been making repeated representations for her transfer to any one of the Schools situated at Kanyakumari District. But, the same were not considered by the respondents. Therefore, she has been constrained to approach this Court.

4.Further, in paragraph 12 of the affidavit, the petitioner has stated that there are 60 vacancies available at Kanyakumari District, out of which, three Schools, which has Secondary Grade Teacher vacancy. The said paragraph reads as under:

"12.I state that on coming to know there are at least 60 vacancies available at Kanyakumari District. Of which, three of the Schools, which has Secondary Grade vacancy, is as follows:

(1) Kavimani Government Primary School, Nagercoil Region, Kanyakumari District.

(2) Sarakkalvilai Government Primary School, Nagercoil Region, Kanyakumari District.

(3) Peruvilai Government Primary School, Rajakkamangalam Region, Kanyakumari District."

5.The learned Additional Government Pleader appearing for the respondents submitted that the second respondent would consider the representation, dated 16.03.2017 and pass appropriate orders within a time frame to be fixed by this Court.

6.Recording the abovesaid submission of the learned Additional Government Pleader for the respondents, the second respondent is directed to consider the representation of the petitioner, dated 16.03.2017, and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.



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

Sd/-
Assistant Registrar(co)

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/True Copy/

Sub Assistant Registrar

To

- 1.The Secretary to Government of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai - 600 006.
- 2.The Director of Elementary Education,
College Road, Chennai - 600 006.
- 3.The District Elementary Educational Officer,
Nagercoil, Kanyakumari District.
- 4.The District Elementary Educational Officer,
Madurai, Madurai District.

+1cc to M/S.R.RUSSEL RAJ, Advocate SR.No.74427
+1cc to Special Government Pleader, SR.No. 74789

smn2
MAS/MR-KKR/SAR1:07.09.2017:3P-7C

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