



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2017

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.1641 of 2017

K.Mary Prema

... Petitioner

-vs-

1. THE DIRECTOR OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI-600 006.
2. THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
VIRUDHUNAGAR DISTRICT AT VIRUDHUNAGAR.
3. THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TIRUNELVELI DISTRICT AT TIRUNELVELI.
4. THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
AMBASAMUTHIRAM,
TIRUNELVELI DISTRICT.
5. THE CORRESPONDENT
AMALA PRIMARY SCHOOL,
K.SEVALPATTI, KARIAPATTY,
VIRUDHUNAGAR DISTRICT.
6. THE CORRESPONDENT
SRI BUDDHAR PRIMARY SCHOOL,
GOWTHAMAPURI,
TIRUNELVELI DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 1st respondent / Director of Elementary Education to consider and pass orders on the representation submitted by the petitioner on 17.12.2016 along with the proposal submitted by the 3rd respondent / District Elementary Educational Officer Tirunelveli vide his proceedings in Na.Ka.No.2234/A5/2015 dated 30.06.2015.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mr.M.Rajarajan

**ORDER**

This writ petition has been filed, seeking to direct the 1st respondent to consider and pass orders on the representation submitted by the petitioner on 17.12.2016 along with the proposal submitted by the 3rd respondent vide his proceedings in Na.Ka.No.2234/A5/2015 dated 30.06.2015.

2. According to the petitioner, she is working as Secondary Grade Teacher in Kariapatti, Virudhunagar District and her native place is Sivanthipuram, Ambasamuthiram Taluk, Tirunelveli District, which is approximately 200kms away from Kariapatti; that on 01.02.2013, one teacher post fell vacant in the 6th respondent school on account of promotion of one J.Jeba Caroline and the present school has also given no objection certificate for her transfer; that though the 3rd respondent had also sought consent for her transfer on 30.06.2015 from the 1st respondent, despite her several representations (the last one of which was dated 17.12.2016), no decision has been taken by the 1st respondent so far and hence, the petitioner is before this Court with the relief stated supra.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents, who would submit that the first respondent is prepared to consider the representation of the petitioner and to pass suitable orders on the same.

4. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation dated 17.12.2016, submitted by the petitioner and to pass appropriate orders thereon on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order, if there is no legal impediment to do so on the basis of the proposal forwarded by the third respondent.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

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To:

1. THE DIRECTOR OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI-600 006.
2. THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
VIRUDHUNAGAR DISTRICT AT VIRUDHUNAGAR.
3. THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TIRUNELVELI DISTRICT AT TIRUNELVELI.
4. THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
AMBASAMUTHIRAM,
TIRUNELVELI DISTRICT.

+1cc to Mr.S.Xavier Rajini, Advocate Sr.No. 5361

JAM/02.03.17 /CM-MSA/ 3P-6C

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