



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2017

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

**W.A. [MD] .No.1381 of 2013
and
M.P. (MD) No.1 of 2013**

A.Davidson Tharmaraj : Appellant

Vs.

1. The Chief Educational Officer,
Tirunelveli.
2. The Head Master,
Government Higher Secondary School,
Ayikudi,
Tirunelveli District.

2. M.Ganesan : Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent, to set aside the order dated 13.11.2013 made in W.P.(MD) no.1456 of 2013 and allow the above Writ Appeal.

Prayer in WP(MD). 1456/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari, calling for the records relating to the impugned proceedings bearing Na.Ka.No. 10031/A5/12 dated 31.12.2012 passed by the 1st respondent and quash the same.

For Appellant : Mr.S.Murugan

For Respondents 1 & 2 : Mr.V.R.Shanmuganathan,
Spl.G.P.

For 3rd Respondent : Mr.A.Sivaji

**JUDGMENT**

[Judgment of the Court was made T.S.SIVAGNANAM, J.]

This writ appeal by the writ petitioner is directed against the order in WP (MD).No.1456 of 2013 dated 13.11.2013. The appellant/writ petitioner challenged the order dated 31.12.2012 passed by the first respondent transferring the petitioner. Though Interim Order was granted at the time when the writ petition was entertained much prior to the third respondent has joined duty and therefore he got himself impleaded in the writ petition.

2.The Court after considering entire facts observed that the school atmosphere should be conducive peaceful for the students to study and there should not be any fight between the parents, teachers and head master. Thus, this Court refused to interfere with the order of transfer.

3.At this distant point of time, we do not propose to take a different view, as we are fully in agreement with the view expressed by the learned single Judge of the Writ Court. Accordingly, Writ Appeal fails and writ appeal is dismissed. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Educational Officer,
Tirunelveli.
2. The Head Master,
Government Higher Secondary School,
Ayikudi, Tirunelveli District.

+1cc to Spl.Government Pleader Sr.No.59371
+1cc to Mr.A.Sivaji, Advocate Sr.No.59505
+1cc to Mr.M.Gnanagurunathan, Advocate Sr.No.59141

ARUL/DSK

VB/KKR/SAR4/16.06.2017/2P/6C