

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.21604 of 2018
and
WMP.No.25367 of 2018

K.Manivannan

...

Petitioner

...vs...

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

2.The Joint Director (Higher Secondary),
DPI Campus, College Road,
Chennai-600 006.

...

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus to direct the respondents herein to consider the representation of the petitioner dated 20.06.2018 by accepting the petitioner's request for transfer from the Government Higher Secondary School, Girisamudhram, Vellore District to a Government Higher Secondary School at Periyampatti/Kammalampatti, Dharmapuri District, taking into consideration the 80% disability suffered by his son due to cerebral palsy.

For Petitioner: Mrs.Dakshayani Reddy

For Respondents: Mrs.P.Kavitha, G.A.

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ORDER

The grievance of the petitioner in this case is that though he is not eligible for transfer counselling, as per G.O. Ms.166, School Education (pa.ka2(2)) Department dated 07.08.2018, but his son being suffering from 80% psychical disability by way of cerebral palsy, he had made a representation dated 20.06.2018 to

the first respondent to consider his case for posting in any vacant place in the Dharmapuri District, but no decision having been taken in this regard, the petitioner has come forward before this Court by filing this present writ petition, seeking a direction to the respondents to consider his case sympathetically.

2. The learned counsel for the petitioner has submitted that the respondents be directed to consider his representation, taking note of the fact that his son is suffering from 80% psychical disability by way of cerebral palsy inasmuch as notwithstanding the aforesaid Government Order, the respondents are not bereft of power to consider his request for transfer to appropriate place on humanitarian grounds.

3. Mrs. P.Kavitha, the learned Government Advocate, who accepts notice on behalf of the respondents would submit that such representation of the petitioner shall be considered by the respondents, in accordance with law.

4. Regard being had to the submissions made, this writ petition is disposed of, without seeking any reply affidavit, with a direction to the respondents, to take a informed and a considered decision on the representation of the petitioner dated 20.06.2018, in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Joint Director(Higher Secondary),
DPI Campus, College Road,
Chennai-600 006.

+1cc to Mrs.Dakshayani Reddy, Advocate Sr.58777
+1cc to the Government Pleader Sr.58542

WP.No.21604 of 2018

rsi[co]
srg 5/9/2018



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