

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.09.2018

Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No. 23875 of 2018
and
W.M.P.No. 27829 of 2018

L. John

...Petitioner

..Vs..

1. The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
3. The Joint Director of School Education (Higher Secondary),
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.
4. The Chief Educational Officer,
Karur District, Karur.
5. The Chief Educational Officer,
Salem District, Salem.
6. P. Sakthivel

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the second respondent to pass orders on the representation submitted by the petitioner dated 14.06.2018 by transferring the petitioner and posting in Karur Municipal higher Secondary School coming under Municipal Service in cancellation/modification of Unit Transfer order issued in favour of fifth respondent in Na.Ka.No.4161/A1/2018 dated 12.06.2018 in order to enable the petitioner to continue in Municipal Service, within a time frame to be fixed by this Court.

For Petitioner : Mr. G.Sankaran
For Respondents : Mr. P.Raja,
(1 to 5) Government Advocate

ORDER

Heard, Mr.G.Sankaran, the learned counsel appearing for the petitioner and Mr. P.Raja, the learned Government Advocate who accepts notice on behalf of the respondents 1 to 5.

2. Since, no relief is sought for as against the sixth respondent, this Court without issuing notice to the sixth respondent and with the consent of the learned counsel for the petitioner as well the learned Government Advocate who accepts notice for the respondents 1 to 5, disposes of the Writ Petition at the stage of admission itself.

3. This Writ Petition has been filed seeking for a direction to the second respondent to pass orders on the representation submitted by the petitioner dated 14.06.2018, to transfer him to Karur Municipal higher Secondary School coming under Municipal Service in cancellation/modification of Unit Transfer order issued by the fifth respondent in Na.Ka.No.4161/A1/2018 dated 12.06.2018, within a stipulated period.

4.The petitioner while working as Headmaster in Municipal Higher Secondary School, Salem, had participated in the transfer counseling, seeking transfer to Municipal Higher Secondary School, Karur, but he was given a posting in Government Higher Secondary School, Elavanur, Karur. Hence, he has made a representation on 14.06.2018 to the second respondent to accommodate him in Municipal Higher Secondary School, Karur which is his native place, inasmuch as he has one year more service to go. Since, no decision on the same has been taken till date, he has come to file this Writ Petition seeking for the aforesaid relief.

5. Mr.P.Raja, the learned Government Advocate, who accepts notice on behalf of the respondents 1 to 5 submits that the second respondent have no objection for consideration of the representation of the petitioner dated 14.06.2018, in accordance to law, within a stipulated period.

6. Regard being had to the facts and submissions made, this Court disposes of the Writ Petition at the stage of admission without seeking reply affidavit, with a direction to the second respondent to take an informed and considered decision on the representation of the petitioner dated 14.06.2018 in accordance with law, if there is no other legal impediment, within a period of four weeks from the date of receipt of the copy of this order. However, it is made clear that this Court has expressed no opinion on merits of the representation in any manner, hence, no fetter in any manner is there on the second respondent, except to take a decision on the representation made within the stipulated period. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mrm/arr

To

1. The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

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

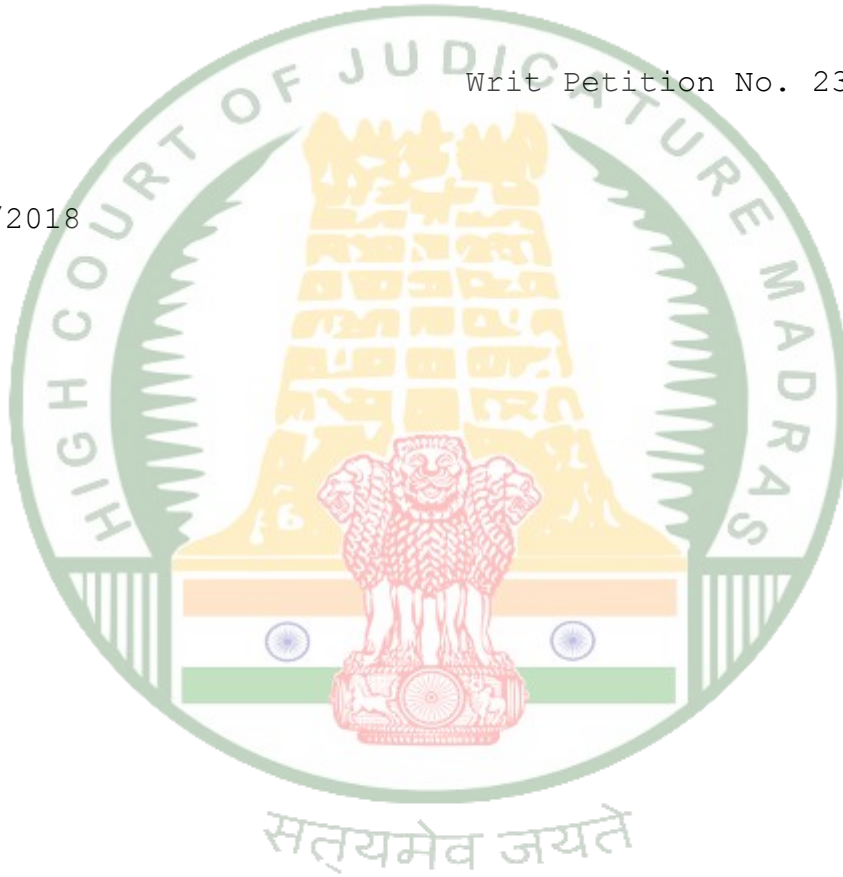
3. The Joint Director of School Education(Higher Secondary),
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

4. The Chief Educational Officer,
Karur District, Karur.
5. The Chief Educational Officer,
Salem District, Salem.

+lcc to Mr.G.Sankaran, Advocate Sr.63686
+lcc to the Government Pleader Sr.64194

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spd[co]
srg 04/10/2018



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