

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2018

CORAM :

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.14866 of 2018
and
WMP.No.17598 of 2018

V.Senthil

..Petitioner

Vs.

1. The Director of School Education,
College Road, Chennai-6.
2. The Joint Director of School Education (Personnel),
College Road, Chennai-6.
3. The Chief Educational Officer,
Ariyalur District,
Ariyalur.
4. The District Educational Officer,
Sendurai Educational District,
Government Boys Higher Secondary School
Campus, Sendurai Post - 621 714.
Ariyalur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to prepare and publish the seniority list in accordance with Rule 35(a) of Tamil Nadu State and Subordinate Service Rules in respect of Graduate Teachers working in Sendurai Educational District, Ariyalur District is concerned, and thereafter conduct the Surplus Teachers

Transfer Counseling in Ariyalur District.

For Petitioner : Mr.M.Saravanakumar
For Respondents : Mrs.P.Kavitha
Government Advocate

ORDER

This Writ Petition has been filed seeking for a direction to the respondents to prepare and publish the seniority list in accordance with Rule 35(a) of Tamil Nadu State and Subordinate Service Rules in respect of Graduate Teachers working in Sendurai Educational District, Ariyalur District is concerned, and thereafter conduct the counseling for transfer of Teachers in Ariyalur District.

2. Mrs.P.Kavitha, learned Government Advocate accepts notice on behalf of the respondents.

3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. The grievance of the petitioner is that in the school where

the petitioner is posted as B.T.Assistant, there are some surplus teachers and during counseling for deployment of such teachers junior most persons are required to be deployed. However the authority without doing the same, called the senior most persons like the petitioners for counseling for deployment by leaving the juniors, which is contrary to the rules. Hence, the petitioner has come up with this Writ Petition seeking for the aforesaid relief.

5. Heard the learned counsel for the petitioner as well as learned Government Advocate who accepts notice on behalf of the respondents.

6. During the course of admission, it is submitted by the learned Government Advocate, who accepts notice on behalf of the respondents that in the counseling made, the petitioner has not been disturbed and therefore no cause of action survives for the petitioner in this Writ Petition.

7. Recording the said submission made by the learned

SATRUGHANA PUJAHARI.,J

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Government Advocate, since no cause of action survives in this Writ Petition, this Writ Petition is disposed of as infructuous. However, it is made clear that if the submission of the learned Government Advocate which she stated to have made on instructions is not adhered to, the petitioner may file appropriate contempt petition before this Court against the respondent. No costs. Consequently, connected Miscellaneous Petitions are closed.

20.06.2018

Index : Yes/No

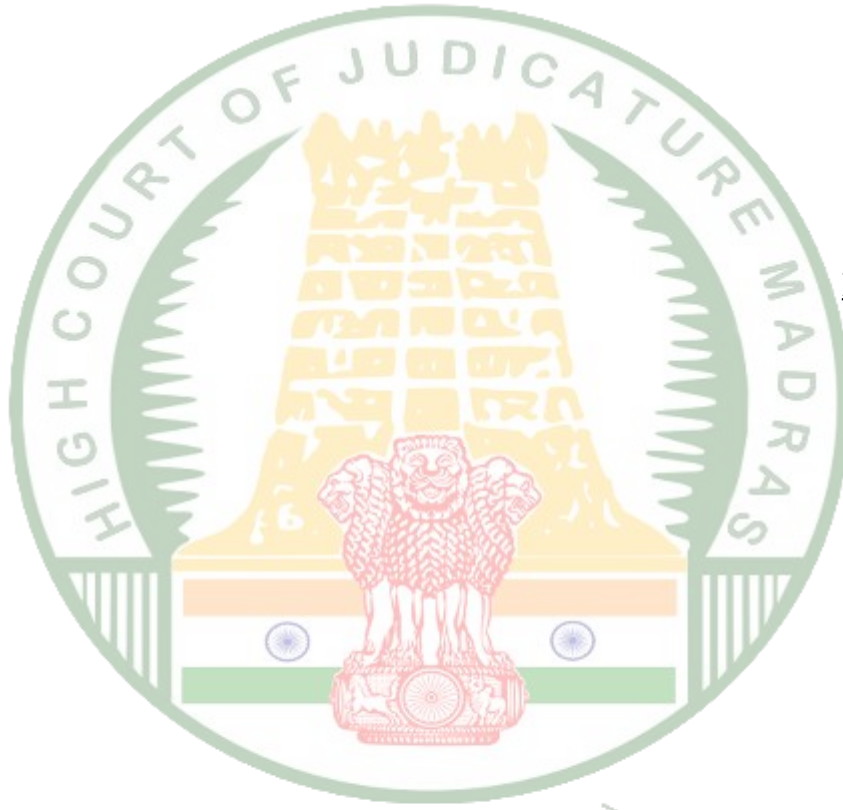
Internet : Yes /No

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To

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