

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.07.2018

Coram

The Hon'ble Mr.Justice Satrughana Pujahari

Writ Petition No.15614 of 2018
and
W.M.P.No.18531 of 2018

P. Rangavathi

...Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Secretary,
School Education Department,
Fort St. George, Chennai - 600 009.
2. The Director of Elementary Education,
College Road, Nungambakkam,
Chennai -600 006.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for records relating to the order of the second respondent dated 03.10.2017 in Na.Ka.No.22522/D.1/2017 and to quash the same and consequently, to direct the respondents to forthwith transfer and post the petitioner in any one of the vacancies in the post of secondary grade teacher in the Government Primary Schools or in the Government Middle Schools in Kanyakumari District.

For Petitioner : Mr.K.Selvaraj
For Respondents : Mrs.P.Kavitha
Government Advocate

O R D E R

Heard Mr.K.Selvaraj, the learned counsel appearing for the petitioner and Mrs.P.Kavitha, the learned Government Advocate appearing on behalf of the respondents.

2. The grievance of the petitioner, in this case is that, her husband is working in Kanyakumari District and she is working in Madurai District as Secondary Grade Teacher since last 14 years. As such, she has made a representation to the respondents to transfer her to any one of the Government Middle

Schools in Kanyakumari District. However, by the impugned order, dated 03.10.2017, her request has been negated by the second respondent. Feeling aggrieved, the petitioner has filed this Writ Petition seeking a writ of certiorari to quash the impugned order with a prayer for mandamus directing the respondents to transfer to the post of Secondary Grade Teacher in any one of the Government Primary Schools or in the Government Middle Schools in Kanyakumari District.

3. The learned Government Advocate appearing for the respondents submits that, in Kanyakumari District, even though vacancies are there, as the respondents are not going to conduct counselling of teachers posted in the petitioner's District for transfer to them outside the District on account of paucity of teachers in the said District and also not conducting counselling for inter District transfer, the question of considering the petitioner's request for transfer itself does not arise. Intervening at this stage, the learned counsel appearing for the petitioner submits that, if that be the position, then, whenever, the respondents comes out with a proposal to fill-up any posts in Kanyakumari District by inter district transfer covering the district, in which, the petitioner is posted, the case of the petitioner may be considered in accordance with the norms.

4. In such premises, this Court is of the view that nothing remains to be adjudicated in this Writ Petition, hence, the same stand disposed of with an observation that, if the Authorities decide to fill-up the post in Kanyakumari District by inter district transfer covering the district and for the post, in which, the petitioner is working presently, then, the case of the petitioner may also be considered in accordance with law. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Secretary, State of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The Director of Elementary Education,
College Road,
Nungambakkam,
Chennai -600 006.

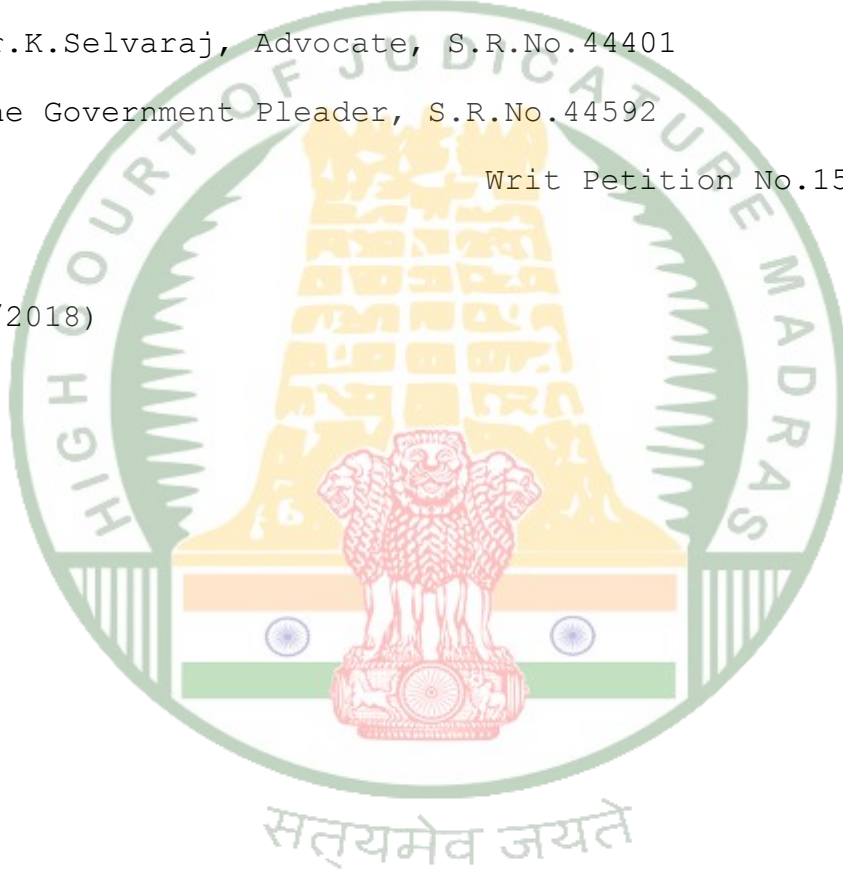
+1cc to Mr.K.Selvaraj, Advocate, S.R.No.44401

+1cc to the Government Pleader, S.R.No.44592

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TM(CO)

GSP (21/08/2018)



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