

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P. Nos.15503 and 15504 of 2013
and
MP Nos.1 and 1 of 2013

S. Shanthi ... Petitioner
in W.P. No.15503 of 2013

D. Maragatham ... Petitioner
in W.P. No.15504 of 2013

versus

1. The State of Government of Tamil Nadu,
Rep. by its Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Secretariat, Chennai - 600 009.

2. The Director of Adi Dravidar
Welfare Department,
Chepauk,
Chennai - 600 005.

3. The District Adi Dravidar
& Tribal Welfare Officer,
Kancheepuram District,
Kancheepuram.

4. T. Thangadurai,

5. P.Sangeetha ... Respondents
in both writ petitions

Prayer in both writ petitions : Writ Petition filed under Article 226 of the Constitution of India to issue writ of mandamus directing the respondents 1 to 3 to pass orders for transfer of surplus teacher on Re-deployment based on the seniority of B.T. Assistant (Tamil) teachers in Injambakkam Government Adi Dravidar Higher Secondary School, Kancheepuram District and consequently forbearing the respondents 1 to 3 from transferring the petitioner on re-deployment on the counseling being

conducted based on the proceedings of the 2nd respondent in Na.Ka. No.A1/6312/2013, dated 05.06.2013.

For Petitioner in both WP's : Mr.G. Sankaran

For Respondents in both Wp's : Mrs.A. Srijevanthi
Spl. G.P for RR1 to 3
No appearance for RR4 and 5

O R D E R

The order of transfer issued against the writ petitioner by treating the petitioners as surplus is under challenge in these writ petitions. In other words, the order of deployment issued on the ground that there was no adequate student strength by the respondents are challenged by the petitioners. However, the writ petitioners are continuing in the above post, pursuant to the interim order granted by this Court. It is made clear that the Government Order issued in this regard, in respect of teachers student strength is to be followed by the competent authority, as per Government orders. It is also made clear that the authorities competent are bound to follow the Government orders, while treating a teacher as surplus based on the sanctioned strength.

2. In this view of the above matter, all further actions needs to be taken only as per the Government Orders, in this matter. With this observation, the writ petitions stand closed. The Further continuance of these teachers are to be decided, depending upon the academic year inspection report submitted by the competent educational authority. Thus, the decision is to be taken based on the terms and conditions stipulated in Government Order and as per the

student strength prevailing in the school concerned. With these view of the matter, no further orders are required in this writ petition and stands disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar (CS V)

//True copy//

Sub Assistant Registrar

vsi2

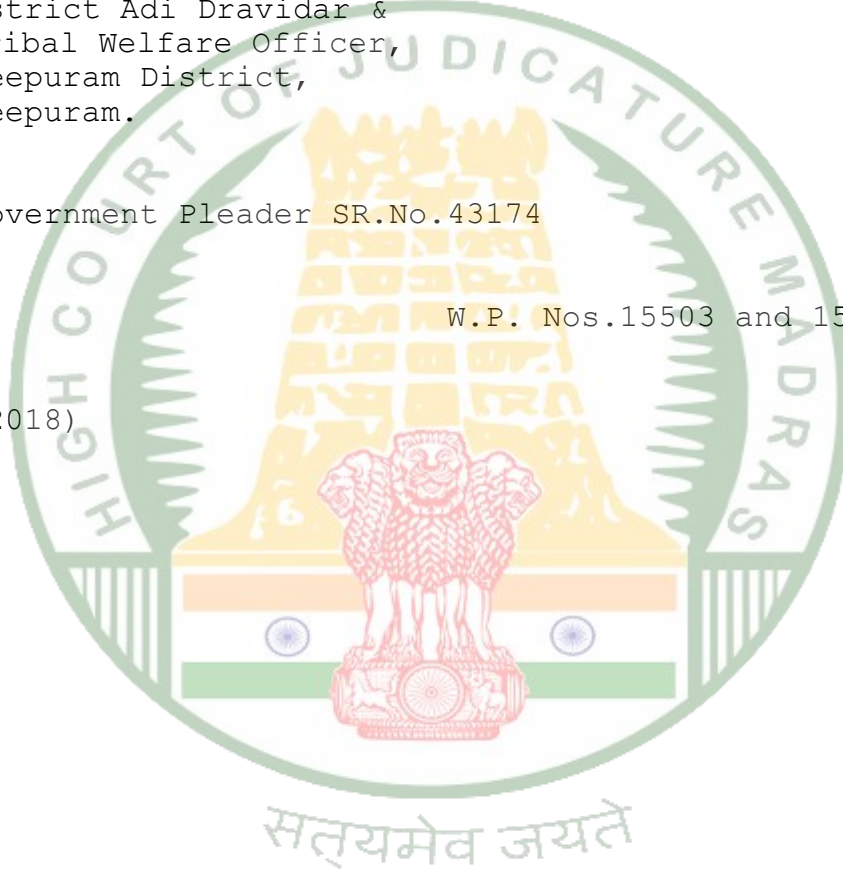
To

1. The Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Secretariat, Chennai - 600 009.
2. The Director of Adi Dravidar
Welfare Department,
Chepauk,
Chennai - 600 005.
3. The District Adi Dravidar &
Tribal Welfare Officer,
Kancheepuram District,
Kancheepuram.

+1cc to Government Pleader SR.No.43174

W.P. Nos.15503 and 15504 of 2013

NA (CO)
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