

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P. Nos.15704 of 2013
and
MP Nos.1 of 2013 and 1 of 2014

M.Rajendran ... Petitioner

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. A. Vijayalakshmi Respondents
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) in Moulivakkam Government ADW Higher Secondary School, Kancheepuram District and consequently forbearing the respondents 1 to 3 from transferring the petitioner on re-deployment based on the counseling conducted as per the proceedings of the 2nd respondent in Na.Ka. No.A1/6312/2013, dated 05.06.2013.

For Petitioner : Mr.G. Sankaran
For Respondents : Mrs.A. Srijevanthi
Spl. G.P for RR1 to 3
No appearance for R4

O R D E R

The order of transfer issued against the writ petitioner by treating the petitioner as surplus is under challenge in this writ petition. 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 petitioner is 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 Order, in this matter. With this observation, the writ petition stands closed. The Further continuance of this teacher is 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 this view of the matter, no further orders are required in this writ petition. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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 the Government Pleader, S.R.No.43175

W.P. No.15704 of 2013

CP(CO)
GSP(02/07/2018)