



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.6823 of 2018

and

W.M.P (MD) Nos.6538 & 6539 of 2018

A.Augusta

...Petitioner

Vs.

1. The District Elementary Educational Officer,
Tuticorin District.
2. The Additional Assistant Elementary Educational Officer,
Alwarthirunagari,
Tuticorin District.
3. The Correspondent.
Eka Ratchakar Sabai Middle School,
Mukuperi,
Alwarthirunagari,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the order passed by the 1st respondent in his proceedings in Na.Ka.No.295/A4/2017, dated 12.02.2018 and quash the same.

For Petitioner : Mr.V.Panneer Selvam

For Respondents 1&2 : Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2.The petitioner is aggrieved against the redeployment order passed by the first respondent herein. When the writ petition came to be entertained on 28.03.2018, the impugned order of redeployment came to be stayed by this Court. Thereafter, three years have lapsed



and the respondents have neither filed their counter affidavit nor sought for vacating the interim order.

3.It is stated by the learned counsel for the petitioner that the Teachers, who were sought to be redeployed, are continued in the same petitioner school till date. It is also the submission that pending the writ petition, the students strength in the school staff have changed considerably and if re-assessment of the Teachers-Students ratio is made, the question of redeployment of Teacher may not arise.

4.In these circumstances, this Court is of the view that the re-assessment of the student-staff strength could be made and thereafter, the respondents can come to the conclusion as to whether there are any surplus teachers in the school and whether redeployment is required or not.

5.In this background, the petitioner is directed to give a representation to the third respondent, in the light of the observations made in this order, within a period of two weeks from the date of receipt of a copy of this order and on such representation being made, the third respondent shall pass appropriate orders, as expeditiously as possible, in any event, within a period of three months from the date of receipt of such representation. Till the disposal of the representation, the respondent shall maintain status quo in connection with the petitioner's service.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The District Elementary Educational Officer,
Tuticorin District.
2. The Additional Assistant Elementary Educational Officer,
Alwarthirunagari,
Tuticorin District.
3. The Correspondent.
Eka Ratchakar Sabai Middle School,
Mukuperi,
Alwarthirunagari,
Tuticorin District.

+1 CC to Mr.V.PANNEER SELVAM, Advocate (SR-6636[F] dated 23/02/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-6726[F] dated 23/02/2021)

Order made in
W.P.(MD) No.6823 of 2018 and
W.M.P(MD) Nos.6538 & 6539 of 2018
22.02.2021
(1/2)

KUN(CO)
SRS (02/03/2021) 3P : 6C