



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2018

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD) No.13445 of 2018

and

W.M.P.(MD)No.12258 of 2018

K.Ahalya

... Petitioner

-vs-

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George,
Chennai - 600 006.

2.The Director of School Education,
College Road, Chennai - 600 006.

3.The Joint Director of School Education (Vocational),
College Road, Chennai - 600 006.

4.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

5.The Chief Educational Officer,
Salem, Salem District.

6.The District Educational Officer,
Thuckalay - 629 175,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS directing the respondents to transfer and accommodate the petitioner as Computer Instructor in any one of the 26 vacancies of Computer Instructors available in the Government Higher Secondary Schools in Salem District.

For Petitioner

: Ms.A.Amala

for M/s.Issac Chambers

For Respondents

: Mr.D.Muruganantham

Additional Government Pleader



O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to transfer and accommodate the petitioner as Computer Instructor in any one of the 26 vacancies of Computer Instructors available in the Government Higher Secondary Schools in Salem District.

2. Heard Ms.A.Amala, learned Counsel appearing for the petitioner as well as Mr.D.Muruganantham, learned Additional Government Pleader, who takes notice for the respondents.

3. The petitioner has been working as Computer Instructor in Government Higher Secondary School, Mathikodu, Kanyakumari District. The petitioner had already lost her husband. Therefore, for security and for other reasons, the petitioner wants to live with her parents, who are residing at Salem and she had made a request to the respondents, by way of a representation dated 19.06.2018, to transfer her to any one of the vacant places at Salem District. In this regard, the petitioner had annexed the vacancy positions available in Salem District for the said post, along with her representation.

4. The learned Counsel appearing for the petitioner would submit that there are twenty six vacancies available in Salem District for the post of Computer Instructor and entire vacancy list had already been given as annexure to the said representation dated 19.06.2018 given by the petitioner. Therefore, if the said representation of the petitioner is directed to be considered by the respondents and an order to that effect is directed to be passed within a time frame that may be stipulated by this Court, the petitioner would be satisfied.

5. The learned Additional Government Pleader appearing for the respondents would submit that the said representation of the petitioner dated 19.06.2018, would be considered on merits and an order to that effect would be passed, within the time frame to be stipulated by this Court.

6. Considering the limited scope of the relief sought for by the petitioner as well as taking into account the submissions made by both sides, this writ petition is disposed of, with the consent of both sides at the admission stage itself, with the following direction:-

"that the representation of the petitioner dated 19.06.2018 shall be considered by the respondents, especially, respondents 3, 4 and 5, on merits and in accordance with law and while considering the same, the vacancy positions noted in the annexure to the said representation at Salem District for the post of Computer Instructor shall be borne in mind by the aforesaid respondents and accordingly, necessary orders be passed within a period of four weeks from the date of receipt of a copy of this



order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed."

Sd/

Assistant Registrar (Crl Side)

/True copy/

WEB COPY

Sub Assistant Registrar

To

- 1.The Secretary to Government of Tamil Nadu,
Department of School Education,
Fort St.George,
Chennai - 600 006.
- 2.The Director of School Education,
College Road, Chennai - 600 006.
- 3.The Joint Director of School Education (Vocational),
College Road, Chennai - 600 006.
- 4.The Chief Educational Officer,
Nagercoil, Kanyakumari District.
- 5.The Chief Educational Officer,
Salem, Salem District.
- 6.The District Educational Officer,
Thuckalay - 629 175,
Kanyakumari District.

+1cc to M/s.Special Government Pleader,SR.No.69757

+1cc to M/S.ISSAC CHAMBERS Advocate, SR.No.69825

W.P. (MD) No.13445 of 2018

25.06.2018

GK

KK/SV/SAR-2/04.07.2018/3P-9C/