



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Fourteenth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP (MD) Nos.11766 and 11768 of 2018

IN

WP (MD) Nos.12873 and 12874 of 2018

V.THIRUNEELAKANDA BOOPATHY

EDUCATIONAL DISTRICT COORDINATOR,

PARAMAKUDI,

RASHTRIYA MADHYAMIK SHIKSHA ABHIYAN,

CHIEF EDUCATION OFFICER,

RAMANATHAPURAM DISTRICT.

... PETITIONER/PETITIONER

IN WMP (MD) NO.11766/2018 IN WP (MD) NO.12873/2018

A.RAMESH KANNA

EDUCATIONAL DISTRICT COORDINATOR, RAMANATHAPURAM

RASHTRIYA MADHYAMIK SHIKSHA ABHIYAN,

CHIEF EDUCATION OFFICER,

RAMANATHAPURAM DISTRICT.

... PETITIONER/PETITIONER

IN WMP (MD) NO.11768/2018 IN WP (MD) NO.12874/2018

Vs

1 THE STATE OF TAMIL NADU

REP BY ITS SECRETARY TO GOVERNMENT,

SCHOOL EDUCATION DEPARTMENT,

FORT ST. GEORGE, CHENNAI -9.

2 THE DIRECTOR OF SCHOOL EDUCATION,

NUGAMBAKKAM, CHENNAI - 6.

3 THE JOINT DIRECTOR OF SCHOOL EDUCATION (PERSONNEL),

O/O THE JOINT DIRECTOR OF SCHOOL EDUCATION,

CHENNAI - 600 006.

4 THE JOINT DIRECTOR OF SCHOOL

EDUCATION (HIGHER SECONDARY),

O/O. THE JOINT DIRECTOR OF SCHOOL EDUCATION,

CHENNAI - 600 006.

5 THE CHIEF EDUCATIONAL OFFICER/

DISTRICT PROGRAMME COORDINATOR,

O/O THE CHIEF EDUCATION OFFICER,

ARANMANAI, RAMANATHAPURAM,

RAMANATHAPURAM DISTRICT.

... RESPONDENTS/RESPONDENTS

IN BOTH THE PETITIONS



Common Prayer in WMP(MD)No.11766and 11768 /2018 in WP(MD)NOS.
12873 and 12874 / 2018 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an Ad-internet stay of operation of the impugned order passed by the 4th respondent in his proceedings Na.Ka.No. 35476/W1/E1/2018 dated Nil.06.2018 pending disposal of the writ petition in respectively.

Common Prayer in WP(MD). 12873and 12874 / 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorari calling for the records relating to the impugned order passed by the 4th respondent in his proceedings Na.Ka.No.35476/W1/E1/2018 dated Nil.06.2018 (published in the internet on 11.06.2018) and quash the same as illegal and pass such further or other orders in respectively.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.MOHAMMED IMRAN, Advocate for M/S.AJMAL ASSOCIATES, Advocate for the petitioner in both the petitions and of MRS.S.SRIMATHY, Special Government Pleader for the respondents in both the petitions the court made the following order:-

The petitioners are working as Educational District Co-ordinators in Sarva Shiska Abhiyan. By an order impugned in this writ petition they have been directed to take part in the counselling. The petitioners did not want to take part in the counselling. Hence this Court is of the view that the petitioners cannot be compelled to take part in the counselling process.

2. Hence, there shall be an order of interim stay.

3. It is made clear that the interim order of stay will not give any way for the department to effect the transfer of the petitioners if they so want.

4. If the department passed any interim order of transfer, the petitioners shall not be allowed to take the plea that they have not given any opportunity.

sd/-
14/06/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE SECRETARY TO GOVERNMENT, STATE OF TAMIL NADU
SCHOOL EDUCATION DEPARTMENT,
FORT ST. GEORGE, CHENNAI -9.

2 THE DIRECTOR OF SCHOOL EDUCATION,
NUGAMBAKKAM, CHENNAI - 6.

3 THE JOINT DIRECTOR OF SCHOOL EDUCATION (PERSONNEL) ,
O/O THE JOINT DIRECTOR OF SCHOOL EDUCATION,
CHENNAI - 600 006.

4 THE JOINT DIRECTOR OF SCHOOL
EDUCATION (HIGHER SECONDARY) ,
O/O. THE JOINT DIRECTOR OF SCHOOL EDUCATION,
CHENNAI - 600 006.

5 THE CHIEF EDUCATIONAL OFFICER/
DISTRICT PROGRAMME COORDINATOR,
O/O THE CHIEF EDUCATION OFFICER,
ARANMANAI, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

+2. C.C. to M/S.AJMAL ASSOCIATES Advocate SR.No.10495, 10496

GJM/CM/VR/RNB/18.6.18-3P-8C

ORDER

IN

WMP(MD) Nos.11766 and 11768 of 2018
IN

WP(MD) Nos.12873 and 12874 of 2018
Date :14/06/2018