



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

W.M.P. (MD) Nos.11738, 11769 of 2018
and
W.P (MD) Nos.12854 and 12875 of 2018

R.RAVIJOSE ... Petitioner/ Petitioner
in WMP (MD) . 11738/ 2018
in WP (MD) No.12854/ 2018

P.JANET MABEL TAMIL SELVI ... Petitioner/ Petitioner
in WMP (MD) . 11769/ 2018
in WP (MD) No.12875/ 2018

- Vs. -

1 STATE OF TAMILNADU,
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION,
FORT ST. GEORGE, CHENNAI - 9.

2 THE DIRECTOR OF SCHOOL EDUCATION,
O/O. THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, CHENNAI - 6.

3 THE JOINT DIRECTOR OF SCHOOL EDUCATION
(HIGHER SECONDARY)
O/O. JONT DIRECTOR OF SCHOOL EDUCATION
(HIGHER SECONDARY),
DPI CAMPUS, CHENNAI - 6.

4 THE CHIEF EDUCATIONAL OFFICER,
O/O. THE CHIEF EDUCATION OFFICER,
THOOTHUKUDI DISTRICT.

5 THE DISTRICT EDUCATIONAL OFFICER
O/O THE DISTRICT EDUCATIONAL OFFICER,
THIRUCHENDUR, THOOTHUKUDI DISTRICT.

... Respondents/ Respondents
... in WMP (MD) . 11738/ 2018
in WP (MD) No.12854/ 2018

1 THE STATE OF TAMIL NADU
REP. BY ITS SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
SECRETARIAT, CHENNAI.



2 THE DIRECTOR OF ELEMENTARY EDUCATION ,
CHENNAI 6

3 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI DISTRICT.

4 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
PRESENTLY DISTRICT EDUCATIONAL OFFICER,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

5 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
PRESENTLY BLOCK EDUCATIONAL OFFICER,
CHERANMAHADEVI, TIRUNELVELI DISTRICT. ... Respondents/ Respondents
in WMP(MD). 11769/ 2018
in WP(MD)No.12875/ 2018

Prayer in WMP(MD). 11738/ 2018 in WP(MD)No.12854/ 2018

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of Interim direction directing the respondent to permit the petitioner to participate in the General Transfer Counseling for the year 2018-2019 in accordance with the Government Order in G.O. (1D) No.256 School Education Department dated 19.04.2017 pending disposal of this writ petition

Prayer in WMP(MD). 11769/ 2018 in WP(MD)No.12875/ 2018:

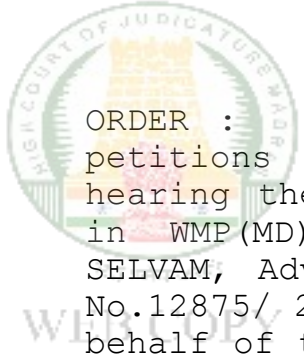
To direct the respondents to permit the petitioner to participate in the counselling for transfer to be held on 16.06.2018 and subsequent dates for the post of Elementary School Headmaster within the 5th respondent union.

Prayer in WP(MD). 12854/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned Government Order in G.O. (1D) No.403 dated 29.05.2018 on the file of the 1st respondent and quash the same as illegal in so far as Condition No.8(I) and consequently for a direction, directing the respondents to permit the petitioner to participate in the General Transfer Counselling for the year 2018-2019 in accordance with the Government Order in G.O.(1D) No.256 School Education Department dated 19.04.2017.

Prayer in WP(MD). 12875/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to accept the transfer application made by the petitioner dated 05.06.2018 and permit the petitioner to participate in the transfer counselling to be held on 16.06.2018 by relaxing the condition that the teacher might have joined prior to 01.06.2017 in the present working school.



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.V.PERUMAL, Advocate for the petitioner in WMP(MD).11738/ 2018 in WP(MD)No.12854/2018 and Mr.V.PANNEER SELVAM, Advocate for petitioner in in WMP(MD).11769/2018 in WP(MD) No.12875/ 2018 and of Mrs.S.SRIMATHY, Special Government Pleader on behalf of the Respondents in both the petitions, the court made the following order:-

In all these writ petitions, the petitioners had joined in the respective schools on 01.06.2017. The counselling is to be conducted on 16.06.2018 for transfer of PG Assistant in various subjects /Elementary School Head Master.

2. In a similar case, this Court had passed an order dated 12.06.2018 permitting them even though joined in the respective schools after 01.06.2017 to take part in the counselling.

3. Hence following the said order dated 12.06.2018, passed in W.M.P.(MD) No.11399 of 2018 in W.P.(MD) No.12514 of 2018, Interim direction as sought for is granted.

sd/-

14/06/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SECRETARY,
STATE OF TAMILNADU,
DEPARTMENT OF SCHOOL EDUCATION,
FORT ST. GEORGE, CHENNAI - 9.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
O/O. THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, CHENNAI - 6.
- 3 THE JOINT DIRECTOR OF SCHOOL EDUCATION
(HIGHER SECONDARY)
O/O. JOINT DIRECTOR OF SCHOOL EDUCATION
(HIGHER SECONDARY), DPI CAMPUS, CHENNAI - 6.
- 4 THE CHIEF EDUCATIONAL OFFICER,
O/O. THE CHIEF EDUCATION OFFICER,
THOOTHUKUDI DISTRICT.
- 5 THE DISTRICT EDUCATIONAL OFFICER
O/O THE DISTRICT EDUCATIONAL OFFICER,
THIRUCHENDUR, THOOTHUKUDI DISTRICT.



6 THE SECRETARY TO GOVERNMENT,
THE STATE OF TAMIL NADU
SCHOOL EDUCATION DEPARTMENT,
SECRETARIAT, CHENNAI.

7 THE DIRECTOR OF ELEMENTARY EDUCATION ,
CHENNAI 6

8 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI DISTRICT.

9 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
PRESENTLY DISTRICT EDUCATIONAL OFFICER,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

10 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
PRESENTLY BLOCK EDUCATIONAL OFFICER,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

+1. C.C. to Mr.V.PERUMAL Advocate SR.No.10517
+1CC TO Mr.V.PANNEER SELVAM, ADVOCATE, SR NO.10525

ORDER IN
W.M.P. (MD) Nos.11738,11769 of 2018
and
W.P(MD) Nos.12854 and 12875 of 2018
Date :14/06/2018

MS/PN/VK/14.06.2018/4P.13C