



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.06.2018
CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P.(MD)No.13597 of 2018
and
W.M.P.(MD) No.12383 of 2018

M.Ambujam

...Petitioner

Vs.

1) The Joint Director of
School Education (Personnel),
Chennai.

2) The Chief Educational Officer,
Ramanathapuram District.

3) The Chief Educational Officer,
Kanniyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give transfer to the petitioner to Government Higher Secondary School at Thengaipattinam in Kanniyakumari District as P.G. Assistant Maths.

For Petitioner : Mr.V.Panneer Selvam

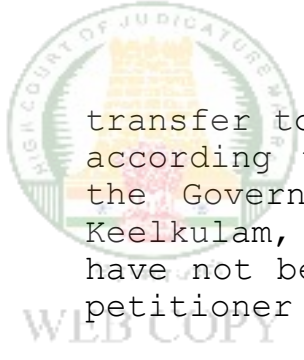
For Respondents : Mr.D.Muruganantham,
Government Advocate.

O R D E R

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondents to give transfer to the petitioner to Government Higher Secondary School at Thengaipattinam in Kanniyakumari District as P.G. Assistant Maths.

2. Heard Mr.V.Panneer Selvam, learned counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.

3. Learned counsel appearing for the petitioner would submit that the petitioner is a Post Graduate Teacher working at Government Higher Secondary School, Thinaikulam, Ramanathapuram District from 25.08.2015. The petitioner has made an application for participating in the General Counselling for Transfer of Post Graduate Teachers, conducted during the last week by the respondents, in order to get



transfer to her native district (i.e.,) Kanyakumari District, where, according to the petitioner, there are two vacancies available at the Government Higher Secondary Schools at Thenkaipattinam and Keelkulam, Kanyakumari District. However, the said vacancy positions have not been shown in the General Counselling, with a result, the petitioner could not get any Transfer Order.

4. In case, if the said two vacancies are still available, the petitioner's representation made to the respondents on 22.06.2018 to consider her request of transfer to any one of the available posts at the Government Higher Secondary Schools at Thenkaipattinam and Keelkulam, Kanyakumari District may be directed to be considered on merits and in accordance with law within a time frame, that may be fixed by this Court.

5. I have heard Mr.D.Muruganandham, learned Additional Government Pleader appearing for the respondents, who would submit that the said representation of the petitioner dated 22.06.2018 will be considered on merits and in accordance with law, with regard to the request of the petitioner for Transfer, subject to availability of vacancy, within a time frame that may be fixed by this Court.

6. Considering the submissions made by both sides and taking into account the innocuous prayer sought for in the Writ Petition, this Court is inclined to pass the following orders:

"that the respondents, especially, the first respondent is directed to consider the representation of the petitioner on merits and in accordance with law and the request for transfer to any of the favourable place viz., Kanyakumari District especially at Government Higher Secondary Schools at Thenkaipattinam and Keelkulam, if those vacancies are available and pass orders thereon, within a period of two weeks from the date of receipt of a copy of this order."

7. With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected W.M.P.(MD) No.12383 of 2018 is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1) The Joint Director of
School Education (Personnel),
Chennai.



2) The Chief Educational Officer,
Ramanathapuram District.

3) The Chief Educational Officer,
Kanniyakumari District.

+1CC to Mr.V.Panneerselvam Advocate in SR.No.70053.

+1CC to Special Government Pleader in SR.No.69958,69982.

STS

DS/SV/SAR-4 :12.07.2018: 3P/7C

Order made in
W.P. (MD) No.13597 of 2018
26.06.2018