



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

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W.P(MD)No.14850 of 2018
and
W.M.P.(MD) No.13393 of 2018

B.Vijayakumari

... Petitioner

Vs.

1. The Director of Elementary Education,
Chennai - 6.
2. The Joint Director of Elementary Education (Admn.)
Chennai.
3. The Chief Educational Officer,
Ramanathapuram District.
4. The Chief Educational Officer,
Tirunelveli District.
5. The Block Educational Officer,
Mandapam Camp,
Ramanathapuram District.
6. The Block Educational Officer,
Sankarankovil,
Tirunelveli District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to transfer the petitioner to Palvannanathapuram Panchayat Union Elementary School in Sankarankovil Union in Tirunelveli District by considering the petitioner representation dated 23.06.2018.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mrs.S.Srimathy, Spl.G.P.

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to transfer the petitioner to Palvannanathapuram Panchayat Union Elementary School in Sankarankovil Union in Tirunelveli District by considering the petitioner representation dated 23.06.2018.



2. Heard Mr.V.Panneer Selvam, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

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3. The learned counsel appearing for the petitioner would submit that the petitioner had been working as Secondary Grade Teacher at Mandapam Panchayat Union Primary School from 2005 continuously for 13 years. The husband of the petitioner is working at a School in Tirunelveli District and the children of the petitioner are studying in schools at Tirunelveli. The petitioner met with an accident in November 2017 and had fracture at her leg. Thereafter, she had been found that she is affected by Cancer. Therefore, she is taking treatment for the said defect also. Because of her health condition, it is very difficult for her to survive at Rameshwaram where no one in the family to help her as the husband and children are at Tirunelveli, whereas, the petitioner is working at Rameshwaram. Therefore, seeking transfer to available vacancy in Tirunelveli District, the petitioner has given a representation on 26.03.2018 and if the said representation is considered and an order with regard to the transfer of the petitioner in any of the vacant place at Tirunelveli is directed to be passed, within a period, the petitioner would be satisfied.

4. I have heard the learned Special Government Pleader appearing for the respondents, who would submit that certainly, the representation of the petitioner dated 26.03.2018 would be considered on merits and also on sympathetic ground on the medical condition of the petitioner and an order to that effect would be passed, within a time frame.

5. Considering the said circumstances of the case and taking into account the submissions made by both sides, this Court is inclined to pass the following order:

"The respondents are directed to consider the representation of the petitioner dated 26.03.2018 on merits and pass orders thereon, within a period of four weeks from the date of receipt of copy of this order. The respondents, while making such consideration, must bear in mind that the petitioner is suffered a lot and she has been continuously working at Rameshwaram for the past 13 years and her husband is working at Tirunelveli and the children are studying at Tirunelveli and also there are vacancies in Sankarankovil Union, which has been given in the petitioner's representation."



6. With the above direction, this writ petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

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Sub Assistant Registrar

To

1. The Director of Elementary Education,
Chennai - 6.
2. The Joint Director of Elementary Education (Admn.)
Chennai.
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Ramanathapuram District.
6. The Block Educational Officer,
Sankarankovil,
Tirunelveli District.

+1CC to Mr.V.Panneer Selvam, Advocate, SR.No. 72874
+1CC to the Special Government Pleader SR.No. 72524

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