



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27.11.2018

CORAM :

WEB COPY

THE HONOURABLE **DR. JUSTICE G. JAYACHANDRAN**

W.P(MD.Nos.503, 504, 505 and 506 of 2015

and

W.M.P(MD).Nos.1,2, 2, 2, 2, 3, 3, 3 of 2015

The Correspondent,
Dudley Higher Secondary School,
Dindigul

... Petitioner in all petitions

Vs.

1.Chief Educational Officer,
Dindigul District,
Dindigul.

2.District Educational Officer,
Dindigul District,
Dindigul.

... Respondents in all

petitions

PRAYER in W.P(MD).No.503 of 2015 : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records relating to impugned proceedings of the first respondent vide proceedings in Na.Ka.No.5052/A2/2014 dated 09.12.2014 and consequential order issued by the first respondent in Na.Ka.No.5910/A2/2014 dated 09.12.2014, transferring Mr.Kamala Suguna Rani, graduate Teacher (History) from Petitioner School to Lourdh Annai Higher Secondary School, Dindigul, quash the same.

PRAYER W.P(MD).No.504 of 2015 : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records relating to impugned proceedings of the first respondent vide proceedings in Na.Ka.No.5052/A2/2014 dated 09.12.2014 and consequential order issued by the first respondent in Na.Ka.No.5910/A2/2014 dated 09.12.2014, transferring Mrs.Stella Ponmani, graduate Teacher(Science) from petitioner's school to St Valanar Higher Secondary School, Dindigul, quash the same.

PRAYER W.P(MD).No.505 of 2015 : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records relating to impugned proceedings of the first respondent vide proceedings in Na.Ka.No.5052/A2/2014 dated 09.12.2014 and consequential order issued by the first respondent in Na.Ka.No.5910/A2/2014 dated 09.12.2014, transferring



Mrs.Margori, graduate Teacher(Maths) from petitioner's school to St Valanar Higher Secondary School, Dindigul, quash the same.

PRAYER W.P (MD) .No.506 of 2015: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records relating to impugned proceedings of the first respondent vide proceedings in Na.Ka.No.5052/A2/2014 dated 09.12.2014 and consequential order issued by the first respondent in Na.Ka.No.5910/A2/2014 dated 09.12.2014, transferring Mrs.Suseela Preetha, graduate Teacher(Science) from petitioner's School to Lourduh Annai Higher Secondary School, Dindigul, quash the same.

In all petitions

For Petitioner : Mr.S.Anand Chandrasekar
for M/s.Sarvabhauman Associates

For Respondents : Mrs.S.Srimathy
Special Government Pleader

COMMON ORDER

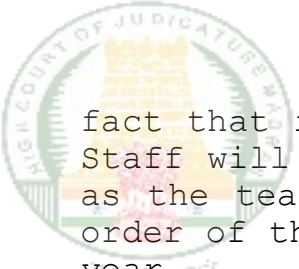
Heard the learned counsel appearing for the petitioner.

2. Pursuant to the G.O.Ms.No.525 (School Education), dated 29.12.1997, the School Educational Department of Dindigul District, has identified the required Teacher's strength proportionate to the Student's strength for the petitioner's institution is only 11 graduate Teachers. Whereas, at the time of determination, the sanctioned strength was 17, out of which, three Teachers have already attained superannuation. Therefore, the effective working strength in the institute was only 14, whereas by virtue of the impugned orders, which are challenged in these writ petitions, four teachers were deployed to the other needy schools. The said orders have been challenged and pursuant to the order passed by this Court the impugned orders were not given effect to.

3. It is now submitted by the learned counsel appearing for the writ petitioner that pending these Writ Petitions, two teachers have retired and the present working strength is 12 as against the required strength of 11.

4. The learned Special Government Pleader appearing for the respondents would submit that even if the submission made by the learned counsel for the petitioner herein is to be accepted, one post is surplus, which has been deployed. Hence, there is no merit in the writ petition.

5. This Court, instead of advertng to the merits of the impugned orders, considering the present student's strength vis-a-vis the working strength of the institution holds that there is only one post surplus in the petitioner's institution and in view of the



fact that in the middle of the Academy year disturbing the teaching Staff will not be conducive for the interest of the student as well as the teacher, the respondent herein is directed to implement the order of the deployment, immediately, after the end of this Academic year.

6. With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(I)

To

1. Chief Educational Officer,
Dindigul District,
Dindigul.

2. District Educational Officer,
Dindigul District,
Dindigul.

+4cc to M/s.Sarvabhauman Associates ,
Advocate Sr.No.97244,97245,97246,97247

+1cc to SPL.Govt.Pleader, Sr.No.97654

RMK

KM/SV/SAR1/27.12.2018/3P/8C

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505 and 506 of 2015
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