



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD) No.18847 of 2018

and

W.M.P. (MD) No.16673 of 2018

John William

... Petitioner

Vs.

1. The Principal Secretary to Government,
Department of School Education,
Secretariat,
Chennai - 600 009.

2. The Director of School Education,
College Road,
Chennai - 600 006.

3. The Chief Educational Officer,
Tiruchirappali District,
P.T.A.Building,
Madurai Road,
Tiruchirappalli.

4. The District Educational Officer,
Manapparai - 621 306,
Tiruchirappalli District.

5. The Block Educational Officer,
Marungapuri Block,
at Kovilpatti - 621 305,
Tiruchirappalli District.

6. M.Vadivel

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 to 5 not to demote the petitioner from the post of Graduate Teacher (History) to the post of Secondary Grade Teacher for fulfilling the wishes of the 6th respondent to the Panchayat Union Middle School, Vaguthalvarpatti, Marungapuri Block, Tiruchirappalli District in the same post of Graduate Teacher (History).

For Petitioner

: Mr.T.M.Madasamy

For Respondents

: Ms.S.Srimathi

**ORDER**

The Writ Petition has been filed praying to issue a Writ of Mandamus, to direct the respondents 2 to 5 not to demote the petitioner from the post of Graduate Teacher (History) to the post of Secondary Grade Teacher for fulfilling the wishes of the 6th respondent to the Panchayat Union Middle School, Vaguthalvarpatti, Marungapuri Block, Tiruchirappalli District in the same post of Graduate Teacher (History).

2. The case of the petitioner is that the School has been upgraded from Middle School to High School and the petitioner, who was appointed as a teacher and who is entitled to retain as Graduate Teacher may face reversion or redeployment.

3. The learned Special Government Pleader appearing for the respondent has filed a counter and contended that the school has been upgraded from middle school to High School and once it is upgraded, certainly, there will be shuffling of posts of teachers and that the person, who is holding the higher position may be inducted and there is a chance of a superior superseding the petitioner.

4. At this stage, the learned counsel for the petitioner would contend that there is a vacancy in Kalingapatti and that the petitioner will be retained in the same post and he would not be reverted / demoted.

5. The learned Special Government Pleader appearing for the respondents has no objection in accommodating the petitioner in Kalingapatti School, in which case the petitioner's existing right will not be affected.

6. In the light of the submissions made by the learned Special Government Pleader, the respondents are directed to pass appropriate orders posting the petitioner at Kalingapatti School where the petitioner is willing to report / work within a period of one week from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition stands dismissed No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-II)



To

1. The Principal Secretary to Government,
Department of School Education,
Secretariat,
Chennai - 600 009.

2. The Director of School Education,
College Road,
Chennai - 600 006.

3. The Chief Educational Officer,
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4. The District Educational Officer,
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5. The Block Educational Officer,
Marungapuri Block,
at Kovilpatti - 621 305,
Tiruchirappalli District.

+1cc to Mr.T.M.Madasamy, Advocate Sr.No.86790

+1cc to Spl.Government Pleader Sr.No.87184

MPK

VB/SV/SAR2/15.11.2018/3P/8C

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