



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHANW.P.(MD)No.17457 of 2016andW.M.P(MD)No.12649 of 2016

Gomathi

... Petitioner

Vs.

- 1.The Chief Educational Officer,
Trichy District,
Trichy.
- 2.The District Educational Officer,
Lalgudi, Trichy District.
- 3.The Headmaster,
Government Higher Secondary School,
Karattampatti,
Trichy District.

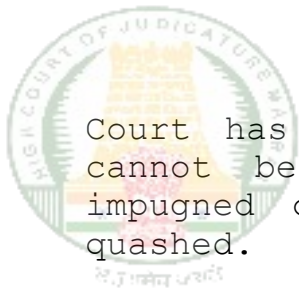
... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order of the 1st respondent dated 02.09.2016 vide his proceedings in Na.Ka.No.4857/Aa3/2016 and quash the same as illegal and violation of principles of natural justice, consequently directing the respondents to drop all further proceedings pertaining to the allegations levelled against the petitioner in the impugned order.

For Petitioner : Mr.R.Rajaraman
For Respondents : Mr.J.Gunaseelan Muthiah AGP

ORDER

The petitioner was working as P.G Assistant in the third respondent School. Certain allegations were made against the writ petitioner by the Headmaster of the School. The same was looked into by the second respondent, who recommended her transfer to some other place. The first respondent accepting the recommendation of the second respondent, has transferred the writ petitioner by the impugned order. On the face of it is seen that the impugned order is stigmatic. It is punitive in nature. This



Court has in several decisions held that an order of transfer cannot be made for punitive considerations. Therefore, the impugned order is liable to be quashed. It is accordingly quashed.

2. This writ petition stands allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Educational Officer,
Trichy District,
Trichy.
2. The District Educational Officer,
Lalgudi, Trichy District.
3. The Headmaster,
Government Higher Secondary School,
Karattampatti,
Trichy District.

+1CC TO Mr.R.Rajaraman, Advocate, Sr No.59199

W.P.(MD)No.17457 of 2016

and

W.M.P(MD)No.12649 of 2016

28.03.2018

skn

MS/PN/SAR.3/15.05.2018/2P.5C