

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K. SASIDHARAN
and
THE HONOURABLE MR.JUSTICE P.D. AUDIKESAVALU

W.A. No. 2183 of 2013

Y. Elizabeth Rani ... Appellant/Petitioner

-vs-

1. The Convener,
Board of Elementary Education,
C.S.I. Diocese of Vellore,
No. 3A, Officers Lane,
Vellore.
2. The Head Master,
V.R.V. Elementary School,
Walaja,
East Range,
Ranipet.
3. The Head Master,
M.D. Elementary School,
Periyaramapuram,
R.K. Pet Range,
Tiruttani Taluk,
Tiruvellore District.
4. The District Elementary Educational Officer,
Vellore District,
Vellore. ... Respondents/Respondents

PRAYER :

Writ Appeal filed under Clause 15 of Letter Patent, praying to set aside the order passed by the Learned Judge in W.P. No. 10574 of 2012 dated 15.11.2012 and allow the Writ Appeal by quashing the impugned order dated 21.03.2012 passed by the First Respondent.

W.P.No.10574 of 2012:-

Petition filed under Article 226 of the Constitution of India, seeking for issue of a Writ of Certiorari to call for the records of the first respondent dated 21.03.2012 and quash the same.

For Appellant : Mr.R.Venkatesan

For Respondents : Ms.K.Sneha
for M/s. Paul and Paul (for R1)

Mr.C.Munusamy,
Special Government Pleader
(for R4)

No appearance (for R2 & R3)

J U D G M E N T

(Judgment of the Court was delivered by K.K. SASIDHARAN, J.)

The Appellant had unsuccessfully challenged the transfer order dated 21.03.2012 before the learned Single Judge.

2. The present Appeal is confined to the legality of the transfer made originally on 01.10.2010 and thereafter on 21.03.2012.

3. The material papers available on record indicates that subsequent to the order of transfer, the disciplinary authority conducted enquiry and by order dated 28.01.2013, the Appellant was removed from service. We are informed by the Learned Counsel for the Appellant that challenging the order dated 21.03.2012, the Appellant has filed a Writ Petition in W.P. No. 1352 of 2013. The said Writ Petition is pending before the learned Single Judge.

4. We permit the Appellant to take up all the grounds available to him in W.P. No. 1352 of 2013. Since the transfer order is merged with the order terminating the Appellant from service, there is no necessity for a factual adjudication in this Writ Petition.

5. The intra Court Appeal is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

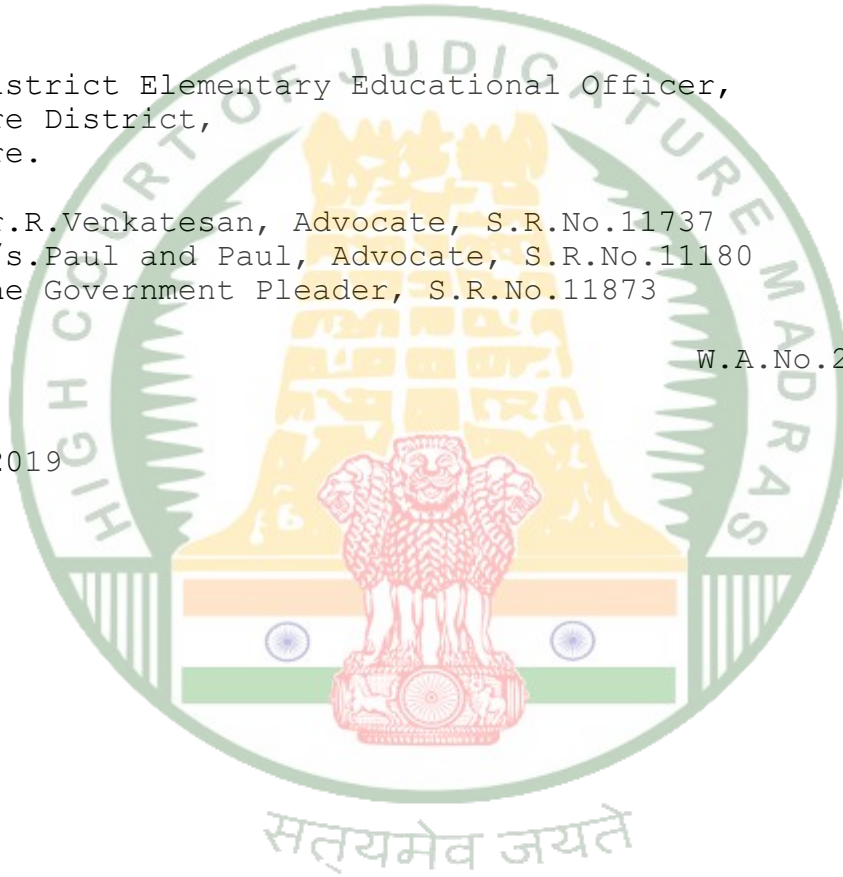
vjt
To

1. The District Elementary Educational Officer,
Vellore District,
Vellore.

+1cc to Mr.R.Venkatesan, Advocate, S.R.No.11737
+1cc to M/s.Paul and Paul, Advocate, S.R.No.11180
+1cc to the Government Pleader, S.R.No.11873

W.A.No.2183 of 2013

KJ(Co)
CS/07/03/2019



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