

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4595 of 2019

and

W.M.P.No.5197 of 2019

V.Sellam

..Petitioner

vs

1.Director of Elementary Education,
College Road, Chennai - 6.

2.District Education Officer,
Attur, Salem District.

3.Block Education Officer,
Gangavalli Block, Salem District.

4.Tmt.N.Bhuvaneswari, B.T.Assistant[Maths]
Panchayat Union Middle School,
Mookkagoundanpudur, Gangavalli Block,
Salem District.

5.Tmt.R.Viji,
Secondary Grade Teacher,
Panchayat Union Elementary School,
Gangavalli Block,
Salem District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to consider the transfer and promotion of the respondents 4 and 5 herein respectively during the General Counselling to be held in May 2019 instead of reverting the petitioner herein just to accommodate the respondents 4 and 5 herein.

For Petitioner : Mr.Rajasekaran V.R

For Respondents : Mr.A.Rajaperumal

Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents 1 to 3 herein to consider the transfer and promotion of the respondents 4 and 5 herein

respectively during the General Counselling to be held in May 2019 instead of reverting the petitioner herein just to accommodate the respondents 4 and 5.

2.The grievances of the writ petitioner is that she was promoted to the Post of Headmistress Primary School in General counselling conducted in May 2018. Relying on the earlier orders of this Court passed in W.P.No.26256 of 2018 dated 26.11.2018, the learned counsel for the writ petitioner states that now the respondents are attempting to revert the writ petitioner without considering the ground that a notice is to be issued to the writ petitioner.

3.However, this Court is of an opinion that any order, affecting the service rights of the employees, must be passed only after providing an opportunity to the employees concerned and Principles of Natural Justice in this regard is to be followed, since the learned counsel for the writ petitioner states that the petitioner is going to be reverted.

4.Under these circumstances, the 2nd respondent is directed to consider the representation submitted by the writ petitioner on 08.02.2019 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all relevant documents, if any, along with the orders passed in the present writ petition.

5.With these directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

kak

To

1.Director of Elementary Education,
College Road, Chennai - 6.

2.District Education Officer,
Attur, Salem District.

WEB COPY

3.Block Education Officer,
Gangavalli Block, Salem District.

+lcc to Mr. V.R.Rajasekaran, Advocate, S.R.No. 15351
+lcc to the Government Pleader, S.R.No. 15579

W.P.No.4595 of 2019

RK(CO)
GN(08/03/2019)



WEB COPY