

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18643 of 2019

And

W.M.P.No.17964 of 2019

T.Solomonraj

... Petitioner

Vs.

- 1.The Director of Elementary Education,
D.P.I.Campus, Nungampakkam,
Chennai - 6.
- 2.The Joint Director of Elementary Education
College Road, D.P.I.Campus, Nungampakkam,
Chennai - 6.
- 3.The Chief Educational Officer,
O/o.Chief Educational Office,
Tuticorin - 628 002.
- 4.The Chief Educational Officer,
O/o.Chief Educational Office,
Krishnagiri.
- 5.The District Educational Officer,
Thiruchendur, Tuticorin District.
- 6.The Block Educational Officer,
Alwar Thirunagari Union,
(AT) Thenthiruperai,
Tuticorin District - 628 623.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 4th respondent to consider the petitioner's representation dated 08.04.2019 by considering his seniority as well as his family situation and direct the 2nd respondent to transfer the petitioner from Kattiganapatti Panchayat Union Middle School, Krishnagiri District to any one of the Schools having vacancy at Aalwar Thirunagari Union, Tuticorin District.

For Petitioner : Mr.S.Arivalagan

For Respondents: Ms.P.Kavitha
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the fourth respondent to consider the petitioner's representation dated 08.04.2019 by considering his seniority as well as his family situation and direct the second respondent to transfer the petitioner from Kattiganapatti Panchayat Union Middle School, Krishnagiri District to any one of the Schools having vacancy at Aalwar Thirunagari Union, Tuticorin District.

2.Heard the arguments advanced on either side.

3.The case of the petitioner is that the petitioner was appointed as Secondary Grade Teacher through Employment Exchange in Chinnakuthi Panchayat Union Primary School, Soolagiri Panchayat Union, Krishnagiri on 15.07.2009 and was transferred to Kattiganapalli Panchayat Union Middle School on 21.09.2011 in the same Union and is working in the same School for the past 8 years.

4.It is the further case of the petitioner that the petitioner's wife is a Secondary Grade Teacher and that she is working in Tuticorin Nazerath Diocese Charitable Trust Association Middle School, Meerankulam Tuticorin District and that there is no possibility to get transfer for her.

5.It is the further case of the petitioner that since the distance between Krishnagiri and Tuticorin is nearly 540 Kms., the petitioner filed application for transfer to any one of the Schools at Aalwar Thirunagari Union, Tuticorin District on 23.04.2012 and since there was no response, the petitioner gave another application dated 08.04.2019 to the respondents. However, the same has not yet been considered. Hence, this writ petition.

6.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 08.04.2019 and to pass appropriate orders within a stipulated time frame.

7.Considering the facts and circumstances of the case, I am inclined to issue direction to the respondents to consider petitioner's representation dated 08.04.2019, on merits and in accordance with law and pass appropriate orders, as expeditiously as possible.

8.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Director of Elementary Education,
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+1cc to the Government Pleader Sr.89197

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kk[co]
srg 25/11/2019