

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 20032 of 2019  
and  
W.M.P.No. 19511 of 2019

A.Vennila

..Petitioner

Vs

1. The Government of Tamil Nadu,  
Represented by Secretary,  
Education (Minority Language Wing)  
Department, Secretariat,  
Chennai - 600 009.

2. The Director of Elementary Education  
DPI Campus,  
Chennai - 600 006.

3. The Joint Director of Elementary Education (Per.S)  
DPI Campus,  
Chennai - 600 006.

4. The Chief Educational Officer  
Erode.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of writ of Mandamus, directing the respondents 1 to 4 herein to take into consideration that the petitioner has already suffered deployment within a period of one year from the date of her appointment and she has been posted in a school situated in a hilly forest infested area, far away from her Government employed spouse and to afford her priority in the counselling to be conducted for Higher secondary school Teachers on 13.07.2019 or on any other subsequent date.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.Raj kamal  
Additional Government Pleader

## O R D E R

The prayer sought for herein in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to take into consideration that the petitioner has already suffered deployment within a period of one year from the date of her appointment and she has been posted in a school situated in a hilly forest infested area, far away from her Government employed spouse and to afford her priority in the counselling to be conducted for Higher secondary school Teachers on 13.07.2019 or on any other subsequent date.

2. The case of the petitioner was initially appointed as B.T.Assistant Teacher (English) on 01.10.2014 at G.H.S.S, Bhavanisagar, Erode District. Since then, the petitioner has been rendering sincere and efficient service in the Department.

3. The learned counsel appearing for the petitioner would submit that even within a period of one year from the date of her initial appointment, the 4<sup>th</sup> respondent herein in and by his proceedings dated 26.08.2015 had deployed her from Bhavanisagar to G.H.S.S, Pasuvanapuram, Erode District i.e. the present station. The said school is situated at Kadambur Hills in Dimbam Forest Area and it is extremely difficult for a lady to commute to the hills on a daily basis. Her husband Mr.G.Senthil Kumar is working as Secondary Grade Teacher, P.U.Elementary School at Annor Union. While the Government, vide G.O.(1D) No.218, School Education (s.e) Department, dated 20.06.2019, had specifically directed that Teachers in Elementary School Department who were deployed from one union to another Union during the year 2018-19 shall have to be allowed to participate in a counselling so as to enable them to be retransferred to the parental Block. Even in cases of PG Teachers, the persons who were deployed earlier are shown preference during the subsequent year counselling.

4. The learned counsel appearing for the petitioner would further submit that is within a period of one year from the date of her initial appointment and she has been deployed to a hill station in a forest area which is also far away from the school in which her husband is employed and as such she has been exposed to unhold hardship.

5. The learned counsel appearing for the petitioner would aver that counselling for Higher Secondary School Teachers has been fixed on 13.07.2019 and unless otherwise the petitioner who has already been subjected to deployment that too to a School in a hilly forest infested area far away from her government employed spouse is given priority prior to the counselling for deployment and transfer for this year, the petitioner will be continued to be exposed to grave hardship.

6. In such circumstances, she submitted a representation to the respondents herein praying for giving her priority by allowing the petitioner to participate in a counselling prior to the counselling for deployment and transfer in the order of seniority to be held on 13.07.2019. However as her representations have not evoked any response till date, the petitioner constrained to approach this Court praying for appropriate directions to the respondent to provide priority to the petitioner in the counselling for transfer for the year 2019 by taking earlier deployment, hill area postings within a period of one year, spouse transfer and the hardship the petitioner have faced so far, into consideration and to provide postings to the petitioner, in accordance to her option subject to availability of vacancies.

7. The learned counsel for the petitioners would now submit that it would be suffice, if this Court issues a direction to the respondents 1 to 3 to consider their representations dated 25.06.2019 within a stipulated time frame fixed by this Court.

8. The learned counsel appearing for the respondents conceded to the requests made by the petitioner.

9. Considering the submissions made by the learned counsel for both sides and without expressing any opinion on merits, I am inclined to issue a direction to the respondents 1 to 3 to dispose of the Writ Petitioners' representations dated 25.06.2019 within a period of twelve weeks from the date of receipt of a copy of this order.

10. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

kmm

To

1. The Secretary,  
Government of Tamil Nadu,  
Education (Minority Language Wing)  
Department, Secretariat,  
Chennai - 600 009.

2. The Director of Elementary Education  
DPI Campus,  
Chennai - 600 006.

3. The Joint Director of Elementary Education (Per.S)  
DPI Campus,  
Chennai - 600 006.

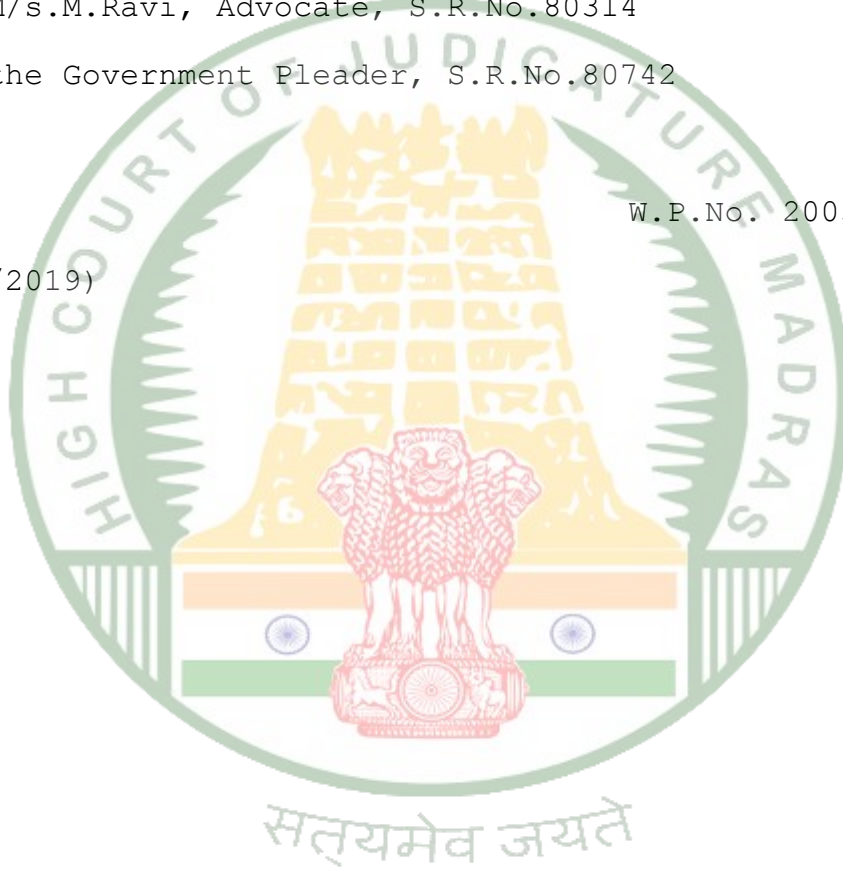
4. The Chief Educational Officer  
Erode.

+1 cc to M/s.M.Ravi, Advocate, S.R.No.80314

+1 cc to the Government Pleader, S.R.No.80742

VBA(CO)  
SSM(08/11/2019)

W.P.No. 20032 of 2019



WEB COPY