IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :30.09.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.27085 of 2019
&
W.M.P.No.26455 of 2019

1.K.Sampath

2.C.Murugan

3.J.Ravi

4.P.Arokiaraj

5.S.Mohan

6.R.Velmurugan

7.G.Ramesh Kumar ..Petitioners

vs

1.State of Tamil Nadu
Represented by its Secretary
Fort St. George
Chennai 600 009.

2.State Project Director
Samagna Shiksha
DPI Campus, College Road
Chennai 600 006.

3.The Director of School Education
DPI Campus, College Road,
Chennai 600 006.

4.The Joint Director (personnel)
DPI Campus, College Road,
Chennai 600 006. .. Respondents

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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to conduct transfer counseling by framing separate guidelines for the conduct of the same as per clause 17 of G.O.Ms.No.218, dated 20.06.2019 by following the guideline issued for the transfer of counseling in the year 2014 vide proceedings of the second respondent in Na.Ka.No.2107/A1/Pani/A.S.E/2014 dated 19.06.2014.

For Petitioners : Mrs.Dakshayani Reddy

For Respondents : Mr.C.Munusamy
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is to direct the respondents to conduct transfer counseling by framing separate guidelines for the conduct of the same as per clause 17 of G.O.Ms.No.218, dated 20.06.2019 by following the guidelines issued for the transfer of counseling in the year 2014 vide proceedings of the second respondent in Na.Ka.No.2107/A1/Pani/A.S.E/2014 dated 19.06.2014.

2. The case of the petitioners is that they were appointed as Block Resource Teacher Educators through examination conducted by the Teachers Recruitment Board and joined service during the years 2006-2008. During the years 2006 to 2014, every year transfer counseling was being conducted by the respondents as per norms which were applicable for counseling of the teachers. In the year 2014, separate norms were issued so far as counseling for the Block Resource Teacher Educators concerned. However, from the year 2015, general transfer counseling was being conducted for the teachers and no transfer counseling was conducted for Block Resource Teacher Educator. On 20.06.2019, the Government issued G.O.Ms.218, whereby transfer counseling norms for the year 2019-2020 were issued for the purpose of conducting transfer counseling for teachers. It would further state that the transfer counseling norms shall be issued separately for the purpose of conducting transfer counseling for Block Resource Teacher Educators. However, till date the norms were not framed. Hence, the Writ Petition has been filed.

3. The learned counsel for the petitioners would submit that it would be suffice to issue direction to the respondents

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to frame separate guidelines for conducting transfer counseling for Block Resource Teacher Educators as per clause 17 of G.O.Ms.No.218 dated 20.06.2019 by following the guidelines issued for the transfer counseling in the year 2014.

4. Mr.C.Munusamy, learned Special Government Pleader would submit that clause 17 of G.O.Ms.No.218 dated 20.06.2019 will be complied and in this regard the respondent Government is taking suitable action for framing the guidelines.

5. Heard the learned counsel on either sides and perused the papers.

6. The entire case revolves upon clause 17 of G.O.Ms.No.218 dated 20.06.2019, would read as follows:

"அனைவருக்கும் கல்வி திட்டத்தில் பணிபுரியும் ஆசிரியர் பயிற்றுநர்கள் சார்பான பணி மாறுதல் தொடர்பான நெறிமுறைகள் தனியே வழங்கப்படும்."

7. Considering the facts and circumstances of the case, I am inclined to issue direction to the respondents to frame guidelines as per clause 17 of G.O.Ms.No.218 dated 20.06.2019 within a period of twelve weeks from the date of receipt of a copy of this order.

8. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is also closed.

-s/d-
Assistant Registrar

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Sub-Assistant Registrar

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To

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+1 cc to Government Pleader sr83995

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