

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27518 of 2019
and
W.M.P.No.27005 of 2019

P.Vijayalakshmi

...Petitioner

vs.

1.The District Collector,
Cuddalore District.

2.The Block Development Officer,
(Block Panchayats), Cuddalore Panchayat Union,
Cuddalore District.

3.D.Kavitha,
Noon Meal Organiser,
Panchayat Union Elementary School,
T.Kumarapuram, Cuddalore Block,
Cuddalore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent in Na.Ka.PD 1/6346/2019 dated 07.08.2019 and quash the same and direct the first respondent to transfer the petitioner to the Government Girls Higher Secondary School, Venugopalapuram.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.A.N.Thambi Durai
Special Government Pleader

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ORDER

The Writ Petition has been filed by the petitioner to quash the impugned order of the first respondent in Na.Ka.PD 1/6346/2019 dated 07.08.2019 and direct the first respondent to transfer the petitioner to the Government Girls Higher Secondary School, Venugopalapuram.

2.The case of the petitioner is that the petitioner is working as Noon Meal Organiser at the Panchayat Union Middle School, Thazhankuda, Cuddalore Block, Cuddalore District. While the petitioner was working there submitted an

application for transferring her from Thazhankuda to Venugopalapuram, since the Noon Meal Organize Centre is situated within 3 Kms from her residence. However, without submitting any application for transfer, the first respondent transferred the third respondent to Venugopalapuram. Hence, the present Writ Petition has been filed before this Court. Considering the prima facie of the case, this Court granted an order of interim stay dated 17.09.2019.

3.The learned Special Government Pleader appearing for the respondents would submit that the respondent filed a counter, in which the Authority stated that the third respondent from the Noon Meal Organizer Centre namely T.Kumarapuram, Cuddalore District transferred to Venugopalapuram since the said Noon Meal Organizer Centre was closed on the ground that the students strength is very less. In order to accommodate the third respondent, the transfer order was passed and no malafide was involved in the present case. He would further submit that the petitioner's application will be considered in the near general counselling in accordance with the existing schemes as per the seniority.

4.With the above observation, the Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed. However, I am inclined to issue direction to direct the first respondent to consider the petitioner application for transfer in the next counselling.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Cuddalore District.

2.The Block Development Officer,
(Block Panchayats), Cuddalore Panchayat Union,
Cuddalore District.

+1cc to the Government Pleader, S.R.No. 90406

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