

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30547 of 2019

and

W.M.P.Nos.30596 & 30598 of 2019

J.Churchill Fernando

.. Petitioner

Vs.

- 1.The District Educational Officer,
Cuddalore District,
Cuddalore.
- 2.The District Educational Officer,
Kallakurichi Education District,
Villupuram District,
Villupuram.
- 3.The Central Manager,
Danish Mission Elementary and
Higher Elementary School,
ALC Central Office, ALC Campus,
Cuddalore - 607 001.
- 4.The Block Educational Officer,
Block Education office,
Kallakurichi Education District.
- 5.The Correspondent,
D.M. Middle School,
Kallakurichi, Villupuram District,
Villupuram.
- 6.The Correspondent,
D.M. Middle School,
Sethuvarayan Kuppam, Cuddalore District,
Cuddalore.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records pertaining to the impugned proceedings no

CM/21/2019-2022 dated 18.10.2019 issued by the 3rd respondent and quash the same.

For Petitioner : Mr.Ma.Gouthaman

For Respondents : Ms.P.Kavitha
Government Advocate

O R D E R

This Writ Petition is filed for a Writ of Certiorari to call for the records pertaining to the impugned proceedings no CM/21/2019-2022 dated 18.10.2019 issued by the 3rd respondent and quash the same.

2. The case of the petitioner is that he is working as Head Master in Danish Mission School, Kallakurichi. By the impugned proceedings of the third respondent bearing CM/21/2019-2022 dated 18.10.2019, the petitioner was transferred from Danish Mission Town Elementary School, Kallakurichi to Danish Mission Middle School, Sethuvarayankuppam with effect from 22.10.2019 in the place of Mr.John Sathia Solomon, Headmaster, transferred. Challenging the said transfer order, the petitioner has come out with the present Writ Petition.

3. Mr.Ma.Gouthaman, learned counsel appearing for the petitioner submitted that the petitioner participated in the Church Election and in order to wreck vengeance, the impugned transfer order has been issued to the petitioner and prayed for setting aside the impugned transfer order.

4. Heard the learned counsel for the petitioner and perused the entire materials on record.

5. This Court on a perusal of the impugned order of the third respondent dated 18.10.2019 finds that the petitioner who has been working as a Headmaster in Danish Mission School, Kallakurichi, was transferred to the Danish Mission Middle School, Sethuvarayankuppam, to fill the vacancy that arose due to transfer of Mr.John Sathia Solomon. It is to be noted that since both the Schools are functioning under the same management, namely, The Arcot Lutheran Church, the question raised by the petitioner that he cannot be transferred from one District to another cannot be countenanced. I do not find any infirmity in the order passed by the third respondent to interfere. Therefore, the Writ Petition fails and is liable to be dismissed.

6. In the result, the Writ Petition is dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

krk

To

- 1.The District Educational Officer,
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Cuddalore.
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Villupuram.
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Cuddalore.

+1cc to MR.M.A.Gowthaman, Advocate SR.90606/19
+1cc to the Government Pleader SR.90698/19

W.P.No.30547 of 2019

RJI (CO)
CB(06/01/2020)