

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.10.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 30831 of 2019

R.Santhanam

..Petitioner

vs

- 1.The State of Tamilnadu  
Rep by its Principal Secretary to Government,  
School Education Department,  
Fort St. George,  
Chennai - 600 009.
- 2.The Director of School Education,  
Directorate of School Education,  
College Road,  
Chennai - 600 006.
- 3.The Joint Director, (Higher Education),  
Directorate of School Education,  
College Road,  
Chennai - 600 006.
- 4.The District Educational Officer,  
District Educational Office,  
Thiruvarur District,  
Thiruvarur.
- 5.The Chief Educational Officer,  
Chief Educational Office,  
Thiruvarur District,  
Thiruvarur.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct 2<sup>nd</sup> and 3<sup>rd</sup> respondents to consider the representation dated 24.10.2019 of the petitioner requesting for transfer to the Government Higher Secondary School, Thiruvaniyam, Thiruvarur District as PG Assistant (Economics) from the Government Boys Higher Secondary School, Peralam, Thiruvarur District within a time frame to be fixed by this Court.

For Petitioner : Mrs.Nalini Chidambaram  
Senior Counsel  
for Ms.Uma

For Respondents : Mr.C.Munusamy  
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is to direct 2<sup>nd</sup> and 3<sup>rd</sup> respondents to consider the representation dated 24.10.2019 of the petitioner requesting for transfer to the Government Higher Secondary School, Thiruvaniyam, Thiruvarur District as PG Assistant (Economics) from the Government Boys Higher Secondary School, Peralam, Thiruvarur District within a time frame fixed by this Hon'ble Court.

2. The case of the petitioner is that he was appointed as Secondary Grade Teacher, Thiruthuraipoondi Block, Thiruvarur District in the year 1986. In the year 2005, the petitioner was promoted as B.T. Assistant in Tamil in the Government Higher Secondary School, Kandiramanickam, Thiruvarur District. Thereafter, in the year 2015, the petitioner was promoted as P.G. Teacher in Economics in Government Higher Secondary School, Thiruvaniyam, Thiruvarur District. The petitioner participated in the General Transfer Counseling for the year 2017-18. By proceedings of the 5<sup>th</sup> respondent dated 24.05.2017 the petitioner was posted as PG Teacher in Government Boys Higher Secondary School, Peralam, Thiruvarur District. The petitioner joined the said school on 01.06.2017.

3. It is the further case of the petitioner that he is not eligible to participate in the General Transfer Counseling to be held for the year 2019-20 in view of the orders of the Madurai Bench of this Court dated 27.08.2019 and the order of this Court dated 03.10.2019. Since the petitioner participated in the General Transfer Counseling for the academic year 2017-18, after three years only he is eligible to participate in the General Transfer Counseling.

4. Therefore the petitioner made representation on 24.10.2019 to the Joint Director (Higher Education) Directorate of School Education, stating that his wife is working in a School which is 48 Kms away from the School where he is working and he has two daughters studying in School staying in hostel. Hence, the petitioner requested the Joint Director (Higher Education) and Directorate of School Education to transfer him to the post of P.G. Assistant (Economics) in the Government Higher Secondary School, Thiruvaniyam, Thiruvarur District.

However, till date the representation dated 24.10.2019 was not considered. Therefore, the Writ Petition has been filed.

5 . The learned Senior counsel appearing for the petitioner would submit that as on date the said post is lying vacant in the Government Higher Secondary School, Thiruvandiyam, Thiruvannamalai. She would further submit that it would be suffice to issue direction to the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to consider and dispose of the representation dated 24.10.2019 in accordance with law.

6. Without expressing any opinion on merits of the case and considering the limited request made by the learned Senior counsel for the petitioner, I am inclined to issue direction to the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to dispose of the representation dated 24.10.2019, if not disposed already within a period of twelve weeks from the date of receipt of a copy of this order. For any reference the petitioner shall produce a representation along with the order copy to enable the respondents to pass appropriate orders.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Secretary to Government ,  
The State of Tamilnadu  
School Education Department,  
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Chennai - 600 009.
- 2.The Director of School Education,  
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- 3.The Joint Director, (Higher Education),  
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4.The District Educational Officer,  
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Thiruvavarur District,  
Thiruvavarur.

5.The Chief Educational Officer,  
Chief Educational Office,  
Thiruvavarur District,  
Thiruvavarur.

+lcc to Mr.C.Uma, Advocate, S.R.No. 90132  
+lcc to the Government Pleader, S.R.No. 90705

W.P.No. 30831 of 2019

PM(CO)  
GN(02/12/2019)



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