

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31895 of 2019
and W.M.P.Nos.32150 and 32148 of 2019

P.Rekha

...Petitioner

vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.
 2. The Director of School Education,
Directorate of School Education,
Chennai - 6.
 3. The Joint Director (Personnel),
Directorate of School Education,
College Road, Chennai - 6.
 4. The Chief Educational Officer,
Salem 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 G.O.(1D).No.218, School Education (Pa.Ka.5(1)) Department, dated 20.06.2019 passed by the 1st respondent and quash the same in so far as clause 9(i) of the said Government order is concerned in so far as the said clause has imposed the condition that before a teacher participate in the General Transfer counselling such teacher should have worked in a particular school for 3 years and consequently direct the respondents to permit the petitioner to participate in the General Transfer counselling to be held during 2019 or any other subsequent dates.

For Petitioner : Mr.S.N.Subramani

For Respondents : Ms.P.Kavitha
Government Advocate

ORDER

The writ petition has been filed by the petitioner to quash G.O.(1D).No.218, School Education (Pa.Ka.5(1)) Department, dated 20.06.2019 passed by the first respondent in so far as clause 9 (i) of the said Government order is concerned in so far as the said clause has imposed the condition that before a teacher participate in the General Transfer counselling such teacher should have worked in a particular school for 3 years and consequently direct the respondents to permit the petitioner to participate in the General Transfer counselling to be held during 2019 or any other subsequent dates.

2.The learned counsel appearing for the petitioner would submit that the petitioner filed writ petition challenging G.O.No.218 School Education (Pa.Ka.5(1)) Department dated 20.06.2019. Hence, he prayed for allowing this writ petition.

3.Per contra, the learned Government Advocate appearing for the respondents would submit that the counselling date already fixed on 13.11.2019, 14.11.2019 and 15.11.2019 and the notification was issued on 08.11.2019 for the post of Teachers and and Physical Education Teachers/Directors respectively.

4.Considering the facts and circumstances, the petitioner was appointed in the year 2017 and not even completed the probation. Hence, the prayer sought for in the writ petition cannot be considered. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pam

To

1. The Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.
2. The Director of School Education,
Directorate of School Education,
Chennai - 6.

3. The Joint Director (Personnel),
Directorate of School Education,
College Road, Chennai - 6.

4. The Chief Educational Officer,
Salem District.

+1cc to the Government Pleader, S.R.No. 94592

W.P.No.31895 of 2019

SPD(CO)
CS/19/12/2019



WEB COPY