



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32129 of 2019

WEB COPY

1 S.GNANAMANI

... Petitioner

Vs

1 The Director of Elementary
Education, DPI Complex College Road,
Chennai 600 006.

2 The Chief Educational Officer
Thiruvannamalai District.

3 The District Educational Officer,
Thiruvannamalai District.

4 The Block Educational Officer
Kunavakkam Annakkavur Block
Thiruvannamalai District.

.... Respondents

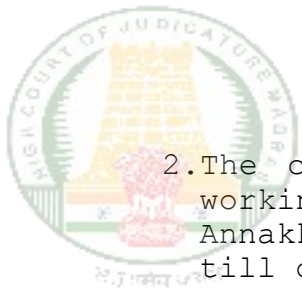
Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue appropriate Writs, Orders or Directions and in particular issue a Writ in the nature of MANDAMUS, directing the 3rd respondent to receive the representation of the petitioner seeking to participate in the transfer counseling be held in the office of the Chief Educational officer Tiruvannamalai from 11/11/2019 to 16/11/2019 and consider the same.

For Petitioner : Mr.R.Ramachandran

For Respondents : Mr.C.Munusamy,
Spl.G.P. for Edn

ORDER

1.The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the 3rd respondent to receive the representation of the petitioner seeking to participate in the transfer counseling to be held in the office of the Chief Educational officer Tiruvannamalai from 11/11/2019 to 16/11/2019 and consider the same.



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- 2.The case of the petitioner is that the petitioner has been working as Second Grade Teacher in Panchayat Union, Kunavakkam, Annakkavur Block, Tiruvannamalai District from 23.08.2016 to till date. The petitioner performed duty in the same place for more than three years and he is eligible to participate in the transfer counseling to be conducted by the third respondent from 11.11.2019 to 16.11.2019. According to the petitioner, though the petitioner gave representation in person, it was refused. Hence the writ petition.
- 3.The learned counsel appearing for the petitioner would submit that without going into the merits, it is sufficient to issue direction to the respondents to permit the petitioner to participate in the general counseling from 11.11.2019 to 16.11.2019.
- 4.The learned Government Special Pleader appearing for the respondents would submit that the prescribed working period for a teacher to participate in the teacher counselling is three years as 01.06.2019 and the petitioner's working period is coming to end on 08.08.2019 i.e. after two months from the cut off date. Hence the petitioner's representation was not be considered. Therefore, the learned Spl.Govt.Pleader would submit that the petitioner would be permitted in the next general counselling.
- 5.Considering the facts and circumstances of the case and the submissions made on either side and in view of the fact that the petitioner has not completed the prescribed three years working period, this Court is unable to permit the petitioner to participate in the present general counselling. However, it is made clear that the petitioner is entitled to participate in the next general counseling which is to be held in the year 2020.
- 6.This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1 The Director of Elementary
Education, DPI Complex College Road,
Chennai 600 006.
- 2 The Chief Educational Officer
Thiruvannamalai District.

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3 The District Educational Officer,
Thiruvannamalai District.

4 The Block Educational Officer
Kunavakkam Annakkavur Block
Thiruvannamalai District.

+1 cc to M/s.R.Ramachandran, Advocate Sr.No. 94462

+1 cc to The Government Pleader Sr.No.95569

AKM/18.12.19/3P-7C /

W.P.No.32129 of 2019