



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

WP(MD)No.14320 of 2019

C. Murugan

... Petitioner

Vs.

1.The Joint Director of School Education (Personnel),  
O/o. the Joint Directorate of School Education,  
DPI Compound,  
College road,  
Chennai -6.

2.The Chief Educational Officer,  
O/o. the Chief Educational Office,  
Dindigul,  
Dindigul District.

3.The Chief Educational Officer,  
O/o. the Chief Educational Office,  
Theni,  
Theni District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to transfer the petitioner from Government High School, Valavichettipatti, Dindigul District to Theni District in any vacant place as B.T. Assistant (Maths) by considering the petitioner's representations dated 04.04.2019, 10.06.2019 and 22.06.2019 within the period that may be stipulated by this Court.

|                |   |                                                    |
|----------------|---|----------------------------------------------------|
| For Petitioner | : | Mr. C. Venkateshkumar<br>for M/s. Ajmal Associates |
| For Respondent | : | Mrs. Srimathy<br>Special Government Pleader        |

**ORDER**

This Writ Petition has been filed for issuing a direction to the respondents to transfer the petitioner from Government High School, Valavichettipatti, Dindigul District to Theni District in any vacant place as B.T. Assistant (Maths), by considering his representations, dated 04.04.2019, 10.06.2019 and 22.06.2019 respectively, within the stipulated time to be fixed by this



2. Mrs. S. Srimathy, learned Special Government Pleader takes notice for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, while he was serving as B.T. Assistant (Maths) at Government Higher Secondary School, Boothipuram, Theni District, he was placed under suspension by the third respondent proceeding, dated 19.08.2015, alleging that he was misbehaved with the girl students and the charges were framed against the petitioner under 17(b) of Tamil Nadu Civil Services (D & A) Rules. Subsequently, the first respondent revoked the said suspension order and transferred the petitioner to Government High School, Valavichettipatti, Dindigul District as B.T. Assistant (Maths).

5. According to the petitioner that the enquiry was conducted and he was exonerated from the said charges and thereafter, the suspension period was regularized as duty period. After passing of final orders by the authority in the aforesaid enquiry, the petitioner was transferred to Theni District to Dindigul District. Hence, he has made various representations dated 04.04.2019, 10.06.2019 and 22.06.2019 respectively, to the respondents to re-transfer him in any one of vacant place available in the Theni District, but, the same has not been considered so far. In such circumstances,, the petitioner has filed the present Writ Petition.

6. The learned Special Government Pleader appearing for the respondents would submit that the facts submitted by the petitioner is correct and the respondents will consider the claim of the petitioner on merits and in accordance with law, within the time limit to be fixed by this Court.

7. Heard the learned counsel appearing on either side and perused the materials available on record.

8. Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the representations of the petitioner, dated 04.04.2019, 10.06.2019 and 22.06.2019 respectively, on merits on merits and in accordance with law, and pass appropriate orders as expeditiously as possible, in any event not later than four weeks from the date of receipt of a copy of this order.



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

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Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

trp

To

1.The Joint Director of School Education (Personnel),  
O/o. the Joint Directorate of School Education,  
DPI Compound,  
College road,  
Chennai -6.

2.The Chief Educational Officer,  
O/o. the Chief Educational Office,  
Dindigul, Dindigul District.

3.The Chief Educational Officer,  
O/o. the Chief Educational Office,  
Theni, Theni District.

+1CC TO MR.AJMAL ASSO., Advocate Sr. No.71927

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.72140

WP(MD)No.14320 of 2019  
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NS(CO)

TR (03.07.2019) 3P 6C