



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2019

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**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

W.P (MD) No.5419 of 2019

V.Divya

... Petitioner

Vs.

1.The Joint Director (Personnel),  
School Education Department,  
Chennai - 6.

2.The Chief Educational Officer,  
Pudukkottai District,  
Pudukkottai.

3.The Chief Educational Officer,  
Tirunelveli District,  
Tirunelveli.

4.The Headmaster,  
Government Boys Higher Secondary School,  
Gandharvakottai,  
Pudukkottai District.

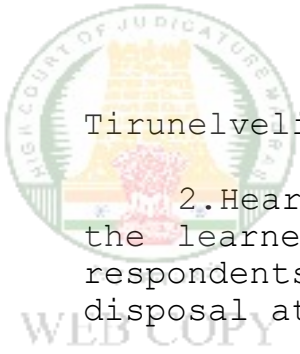
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation, dated 05.10.2018 so as to transfer the petitioner from the fourth respondent School to existing Graduate Assistant (English) vacancies available in any one of the Government Higher Secondary Schools or Government High Schools in Tirunelveli District on the ground of petitioner's husband serving in Indian Army and also to look after one year old female child.

For Petitioner : Mr.M.Sathiamoorthy  
For Respondents : Mrs.S.Srimathy,  
Special Government Pleader.

**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation, dated 05.10.2018 so as to transfer the petitioner from the fourth respondent School to any one of the Government Higher Secondary Schools or Government High Schools in



Tirunelveli District.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Graduate Assistant in the Government Higher secondary School, Athani, vide proceedings, dated 25.09.2014 and three transfers effected from the date of her initial appointment and now, she is working in Government Boys Higher Secondary School Gandharvakkottai. Hence, the petitioner has sent a representation to the respondents on 05.10.2018, seeking transfer from Pudukkottai District to Tirunelveli District. Since the same has not been considered by the respondents so far, the petitioner has filed the present Writ Petition.

4. The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner would be considered on merits.

5. In such view of the matter, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner, dated 05.10.2018 for the reasons adduced therein and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-  
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Joint Director (Personnel),  
School Education Department,  
Chennai - 6.

2. The Chief Educational Officer,  
Pudukkottai District,  
Pudukkottai.

<https://hcservices.ecourts.gov.in/hcservices/>  
3. The Chief Educational Officer,  
Tirunelveli District,



Tirunelveli.

4.The Headmaster,  
Government Boys Higher Secondary School,  
Gandharvakottai,  
Pudukkottai District.

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+1cc to Mr.M.Sathiamoorthy, Advocate, SR.No.52333  
+1cc to Special Government Pleader, SR.No.52664

W.P (MD) No.5419 of 2019

SP/25.03.2019/ 3P/7C

07.03.2019