



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2019

CORAM

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P.(MD).No.12647 of 2019 and

WMP(MD).Nos.9400 and 9401 of 2019

WEB COPY

S. Ramachandran

.. Petitioner

Vs.

1. The Director of School Education,
College Road, Chennai.

2.The Joint Director of School Education,
(Establishment), Chennai.

3.The District Educational Officer,
Paramakudi, Ramnad District.

4.R. Balaji.

..Respondents

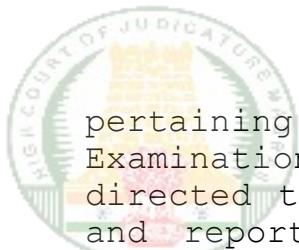
PRAYER: Writ petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned order of the 2nd respondent in Na.Ka.No.017047/A3/E1/2019, dated 21.03.2019 quash the same and consequently, direct the respondents herein to permit the petitioner to join duty as Superintendent in the office of the 3rd respondent and to regularize his service of non-employment in the post of Superintendent.

For Petitioner	: Mr. C. Jeganathan for M/s. Veera Associates
For R1 to R3	: Mrs. S. Srimathy Special Government Pleader
For R4	: No appearance

O R D E R

This Writ Petition has been filed to quash the impugned order passed by the 2nd respondent in Na.Ka.No.017047/ A3/ E1/ 2019, dated 21.03.2019 and consequently, direct the respondents herein to permit the petitioner to join duty as Superintendent in the office of the 3rd respondent and to regularize his service of non-employment in the post of Superintendent.

2. According to the petitioner, while he was working as Superintendent at Paramakudi, one R. Shanmuganathan, has filed a Writ Petition in WP(MD).No.6239 of 2019 by raising serious allegation against him as if there were tampering of records



pertaining to the conduct of High School and Higher Secondary School Examinations. Based on the aforesaid allegations, this Court has directed the Deputy Superintendent of Police to conduct an enquiry and report was submitted before this Court. According to the petitioner, the aforesaid report disclosed that the allegations against him are absolutely false. Subsequently, the said Writ Petition in WP(MD).No.6239 of 2019 was withdrawn by the said Shanmuganathan. Now, the petitioner has filed the present Writ Petition challenging the order of transfer, dated 21.03.2019 stating that he was transferred from Paramkudi to Thiruchendur, due to the said allegation.

3. The impugned order challenging the transfer of the 4th respondent from Pollachi to Paramakudi in the place of the petitioner now, subsequent to the report submitted by the Deputy Superintendent of Police, Paramakudi the Writ Petition dismissed. Hence, the petitioner made a request to permit him to join in the office of the 3rd respondent and to regularize his service of non-employment in the post of Superintendent.

4. The learned Special Government Pleader appearing for the respondents, on instructions, would submit that the vacancy is at Manamadurai, which is hardly about 20 Kms from Paramakudi and therefore, the petitioner can join in the aforesaid place.

5. However, the learned counsel appearing for the petitioner would submit that the petitioner's children are now studying at Paramakudi and therefore, the request of the petitioner, be considered by placing him at Manamadurai immediately.

6. Recording the aforesaid submission made by the learned counsel appearing on either side, this Court, directs the first respondent to pass posting orders to the Writ Petitioner, immediately by placing him as Superintendent at Manamadurai. Further, he shall continue his Service in the said place for this academic year, for the next academic year, it is open to the respondents to pass appropriate orders by placing the Writ Petitioner at Paramakudi or any other place.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Director of School Education,
College Road, Chennai.

2. The Joint Director of School Education,
(Establishment), Chennai.

3. The District Educational Officer,
Paramakudi, Ramnad District.

+1 CC to M/s.VEERA ASSOCIATES, Advocate SR-81705.

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