



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.08.2019
CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No. 14773 of 2019

and

WMP(MD)Nos. 11185 &11186 & 15181 of 2019

V. G. Suresh

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep.by its Principal Secretary to Government,
School Education Department,
Secretariat, Chennai.

2. The Director of School Education,
Chennai - 6.

3. The Joint Director (Higher Secondary)
Chennai - 6.

4. The Chief Educational Officer,
Virudhunagar District.

... Respondents

(Cause title amended vide order, dated 29.08.2019 in W.M.P.(MD) No.15181 of 2019)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of **Certiorarified Mandamus** to call for the records pertaining to the order passed by the first respondent in his proceedings in G.O.(1D).No.218 School Education (Pa.Ka.5(1)) Department dated 20.06.2019 in so far as Condition No.9(i) is concerned and to quash the same and direct the respondents to permit the petitioner to participate in the counselling for Physical Director Grade-I, by accepting the petitioners application, dated 26.06.2019, so as to enable him to get transfer.

For Petitioner	: Mr. V. Panneer Selvam
For Respondents	: Mrs.S.Srimathy Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned Government Order in G.O.(1D).No.218 School Education (Pa.Ka.5(1)) Department, dated 20.06.2019 in so far as Condition No.9(i) and



consequently direct the respondents to permit the petitioner to participate in the general transfer counselling for Physical Director Grade-I, by accepting the petitioner's application, dated 26.06.2019.

2. According to the petitioner, he is now working as Physical Director Grade-I in Government Higher Secondary School, Kariyapatti, Virudhunagar District, based on the general transfer counseling. The grievance of the petitioner, the first respondent has issued G.O. (1D).No.218 School Education (Pa.Ka.5(1) Department, dated 20.06.2019 and as per Clause 9(1) of the said Government Order, the applicant must have completed 3 years of service in the same station as on 01.06.2019. Therefore, as per the said clause, the petitioner is not eligible to apply for the forthcoming general transfer counseling. Hence, the petitioner is before this Court seeking the aforesaid relief.

3. The learned counsel appearing for the petitioner has submitted that the similar issue has already been dealt with by this Court in ***W.P.(MD) No.15368 etc., batch, dated 14.08.2019*** and prays for passing the similar order in the instant writ petition also, for which the learned Special Government Pleader appearing for the respondents has not raised any serious objection.

4. In the light of the order passed by this Court dated, ***14.08.2019 in W.P.(MD) No.15368 of 2019 etc. , batch,*** the following order is passed by this Court;

(i) The petitioner is directed to make application before the Director of School Education, Chennai within a period of one week from the date of receipt of a copy of this order;

(ii) On receipt of such application, the respondents shall consider the same for permitting the petitioner to attend the forthcoming general transfer counseling for the year 2019-2020, otherwise if he is found eligible, and pass orders within a period of four weeks thereafter.

(iii) It is made clear that this order is applicable only in respect of this academic year and it will not precedent to the candidates like that of the petitioner herein in future.

5. The writ petition is disposed of with the above observation. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (writs)

// True Copy //



To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
School Education Department,
Secretariat, Chennai.

2. The Director of School Education,
Chennai - 6.

3. The Joint Director (Higher Secondary)
Chennai - 6.

4. The Chief Educational Officer,
Virudhunagar District.

+1 CC to Mr.V.PANNEER SELVAM, Advocate (SR-84544[F] dated
30/08/2019)

W.P(MD)No. 14773 of 2019

30.08.2019

ksa

MK (09.10.2019) 3P 6C