



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2019

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

W.P. (MD) No.15120 of 2019

and

W.M.P. (MD) No.11620 of 2019

S.Jeyanthi

...Petitioner

Vs.

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

2.The Director of School Education,
School Education Department,
DMS Complex,
College Road,
Chennai.

3.The Joint Director of School Education (Administration),
School Education Department,
DMS Complex,
College Road,
Chennai.

4.The Chief Education Officer,
(Elementary School Education),
School Education Department,
Dindigul District,
Dindigul.

5.The District Education Officer,
(Elementary School Education),
School Education Department,
Dindigul District,
Dindigul.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to accept the petitioner's application and permit him to participate in Secondary Grade Teacher District to District General Transfer



counseling scheduled on 15.07.2019.

For Petitioner : Mr.Rajakarthikeyan
For Respondents : Mrs.Srimathy
Special Government Pleader

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ORDER

This Writ Petition has been filed to accept the petitioner's application and permit him to participate the General Transfer counseling scheduled on 15.07.2019.

2. According to the petitioner, initially, the petitioner was appointed as SG Teacher (Tamil Medium) Panchayat Union Primary School, Aravatla, Peranambut, Vellore District and after participating the General Transfer Counseling of Tamil Nadu Government, he was transferred to Dindigul District as SG Teacher (Tamil Medium). But, he was not relived from service from the said school based on the transfer order issued by the fifth respondent. Even though the petitioner made a request to relive him from service from the said school to Dindigul District, the same was not considered by the Headmaster of the said school for one year and finally, the petitioner was relieved from service and joined duty in the present station on 05.08.2016.

3. As per G.O.(1D) No.218, School Education Department, dated 20.06.2019, the teacher should complete three years in the present working place. But, for the aforesaid reasons, the petitioner is not able to comply the condition in para 9 (i) of said G.O. by shortage of 69 days. Therefore, the petitioner is before this Court for the relief as stated above.

4. The learned Special Government Pleader appearing for the respondents strongly objected the contention of the petitioner and the relief sought by him.

5. In view of the above said submission made by the learned counsel on either side, this Court is inclined to pass the following orders on sympathetic ground.

(i) the second respondent is directed to consider the representation dated 20.06.2019 on or before 13.07.2019 on sympathetic ground for permitting the petitioner to participate in the Secondary Grade Teacher District to District General Transfer counseling scheduled to be held on 15.07.2019;

(ii) the learned Special Government Pleader is directed to communicate this order to the second respondent immediately for passing appropriate orders;



6.This Writ Petition is disposed of with the above directions.
No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

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// True Copy //

Sub Assistant Registrar (CS)

To

- 1.The Principal Secretary,
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Dindigul District,
Dindigul.
- 5.The District Education Officer,
(Elementary School Education),
School Education Department,
Dindigul District, Dindigul.

+1cc to M/s.Special Government Pleader, SR.No. 74892

W.P. (MD) No.15120 of 2019
10.07.2019

MM

KK/SAR/11.07.2019/3P-7C