



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P(MD).Nos. 15509 & 15510 of 2019

and W.M.P. (MD) Nos.12147, 12148 & 12150 in

W.P. (MD) No.15509 of 2019

and W.M.P. (MD) Nos.12153, 12155 & 12156 of 2019 in

W.P. (MD) No.15510 of 2019

S. Mariyam : Petitioner in W.P.(MD) No.
15509 of 2019

B. Banupriya : Petitioner in W.P.(MD) No.
15510 of 2019

Vs.

1. The State of Tamil Nadu
Represented by its Secretary to Government,
School Education Department,
Fort Saint George, Chennai - 600 009.
2. The Director of Elementary Education,
DPI Complex, College Road,
Chennai - 600 006.
3. The Chief Educational Officer,
O/o. the Chief Educational Office,
Theni District.
4. The District Educational Officer,
O/o. the District Educational Office,
Uthamapalayam, Theni District.

5. The Block Educational Officer,
O/o. the Block Educational Office,
Uthamapalayam, Theni District.

: Respondents in both
Writ Petitions.



COMMON PRAYER in W.P.(MD) Nos.15509 & 15510 of 2019: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned order passed by the first respondent vide G.O.(ID) No. 218 School Education (Pa.Ka.5(1) Department dated 20.06.2019 and quash the same as illegal in so far as it relates to clause 9(i) is concerned and consequently to direct the respondents to allow the petitioner to take part in the transfer counseling scheduled to be fixed by the respondents in conformity with G.O.ID No.256 School Education Department dated 19.04.2017 within the time frame fixed by this Court.

In both the Writ Petitions:

For Petitioner

: Mr.Mohammed Imran
for M/s. Ajmal Associates

For Respondents

: Mrs.S. Srimathy,
Special Government Pleader

COMMON ORDER

These Writ Petitions have been filed seeking direction to call for the records relating to the impugned order passed by the first respondent vide G.O.(ID) No. 218 School Education (Pa.Ka.5(1) Department dated 20.06.2019 and quash the same as illegal in so far as it relates to clause 9(i) is concerned and consequently to direct the respondents to allow the petitioner to take part in the transfer counseling scheduled to be fixed by the respondents in conformity with G.O.ID No.256 School Education Department dated 19.04.2017 within the time frame fixed by this Court.

2. Though these petitions have been filed to give a positive direction to the respondents, the learned counsel appearing for the petitioners submit that the petitioners will be satisfied, if a direction is issued to the respondents, to consider the representation of the petitioners.

3. The learned Special Government Pleader appearing for the respondents has submitted that the representation of the petitioner will be considered on merits, within a specified time that may be fixed by this Court.

4. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioners, this Court, without expressing any opinion on the merits of the petitioners case, direct the petitioners to make a representation on or before 13.07.2019 to the fourth respondent. If any such representation made before the fourth respondent the same shall be considered on merits and in accordance with law, and pass necessary orders, on or before 25.07.2019.



5. With the above directions, this Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The State of Tamil Nadu
Represented by its Secretary to Government,
School Education Department,
Fort Saint George, Chennai - 600 009.
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Uthamapalayam, Theni District.
5. The Block Educational Officer,
O/o. the Block Educational Office,
Uthamapalayam, Theni District.

+2cc to M/S.AJMAL ASSOCIATES, Advocate, SR.No. 74842,74843

+1cc to M/s.Special Government Pleader,SR.No. 75005

WP (MD) .Nos.15509 &
15510 of 2019
11.07.2019

KSA

KK/SAR/12.07.2019/3P-9C

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