



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2019

CORAM:

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

W.P(MD)No.15648 of 2019 and
WMP(MD).No.12321 and 12323 of 2019

P. Balakrishnan

... Petitioner

Vs.

1.The Director of School Education,
O/o. the Director of School Education,
DPI Campus, Chennai - 6.

2.The Joint Director of School Education (Higher Secondary),
O/o. the Joint Director of School Education (Higher Secondary),
DPI Campus, Chennai - 6.

3.The Chief Educational officer,
O/o. the Chief Educational Officer,
Pudukottai,
Pudukkottai District.

4.The District Educational Officer,
O/o. the District Educational Officer,
Ilupur, Pudhukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Na.Ka.No.369/Aa3/2019, dated 31.01.2019 on the file of the 4th respondent and quash the same as illegal and consequently, direct the respondents 1 to 4 to permit the petitioner to participate in the General Transfer Counseling for the year 2019 - 2020 within the time period stipulated by this Court.

For Petitioner : Mr. Ashwin Rajasimman

For Respondent : Mrs. S. Srimathy
Special Government Pleader

ORDER

This writ petition is filed to call for the records pertaining to the impugned order in Na.Ka.No.369/Aa3/2019, dated 31.01.2019 on the file of the 4th respondent and quash the same as illegal and consequently, direct the respondents 1 to 4 to permit the petitioner to participate in the General Transfer Counseling for the year 2019 - 2020 within the time period stipulated by this Court.



2. Mrs. S. Srimathy, learned Special Government Pleader takes notice for the respondents. By the consent, the writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he made a representation dated 26.02.2019 to withdraw a charge memo, but, so far no order has been passed. Even though, the petitioner is challenging the impugned order passed by the 4th respondent, dated 31.01.2019, during the course of arguments, the learned counsel appearing for the petitioner restricted the relief sought for by the petitioner to consider his representation, dated 26.02.2019.

4. The learned Special Government Pleader appearing for the respondents submitted that the respondents would consider the said representation and pass appropriate orders, on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Having regard to the limited scope of the prayer made by the petitioner and considering the submissions made on either side, this Court, without expressing any opinion on the merits of the petitioner's case, directs the 4th respondent to consider the representation of the petitioner, dated 26.02.2019 on merits and in accordance with law and pass appropriate orders, within a period of three weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner, if necessary.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

trp

To

1.The Director of School Education,
O/o. the Director of School Education,
DPI Campus, Chennai - 6.

2.The Joint Director of School Education (Higher Secondary),
O/o. the Joint Director of School Education (Higher Secondary),
DPI Campus, Chennai - 6.



3.The Chief Educational officer,
O/o. the Chief Educational Officer,
Pudukottai,
Pudukkottai District.

4.The District Educational Officer,
O/o. the District Educational Officer,
Ilupur, Pudhukkottai District.

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 75465

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WMP(MD) .No.12321 and 12323 of 2019
15.07.2019

TR (17.07.2019) 3P 6C