



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2019

CORAM:

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

WP (MD) No.16965 of 2019

P. Muthukumari

... Petitioner

Vs.

1.State of Tamil Nadu,
rep. by its Principal Secretary,
Department of School Education,
Fort. St. George,
Chennai - 9.

2.The Director of Elementary Education,
O/o. the Director of Elementary Education,
DPI Campus, Chennai -6.

3.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Sivagangai,
Sivagangai District.

4.The District Educational Officer,
Thirupathur,
Sivagangai District.

5.The Block Educational Officer,
O/o. the Block Educational Officer,
Thirupathur,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent No.2 to cancel the order of transfer of the petitioner issued by the respondent No.4 in Na.Ka.No.353/A3/2018, dated 12.01.2019, by considering the representation of the petitioner dated 20.07.2019 within the time period stipulated by this Court.

For Petitioner : Mr. T. Aswin Rajasimman
For Respondents : Mrs. S. Srimathy
Special Government Pleader

**ORDER**

This Writ Petition has been filed for issuing a direction to the 2nd respondent to cancel the order of transfer of the petitioner issued by the 4th respondent in Na.Ka.No.353/A3/2018, dated 12.01.2019, by considering her representation dated 20.07.2019, within the time frame to be fixed by this Court.

2. Mrs. S. Srimathy, learned Special Government Pleader took notice for the respondents. By consent, this Writ Petition is taken up for disposal at the admission stage itself.

3. According to the petitioner, she was declared as a surplus Teacher under the Panchayat Union Middle School, at Karuppur, Thirupathur Block, Sivagangai District and she was transferred to the Anganwadi Centre at the same Panchayat. Hence, she has made a representation, dated 20.07.2019 to the 2nd respondent viz., the Director of Elementary Education, but, the same was not considered so far. In such circumstances, the petitioner has filed the present Writ Petition before this Court.

4. Though this petition has been filed to give a positive direction to the 2nd respondent, the learned counsel appearing for the petitioner submits that the petitioner will be satisfied, if a direction is issued to the 2nd respondent, to consider the representation of the petitioner, dated 20.07.2019.

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

6. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the petitioner's case, directs the 2nd respondent to consider the representation of the petitioner, dated 20.07.2019, and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

trp

<https://hcservices.ecourts.gov.in/hcservices/>



To

1. Principal Secretary,
Department of School Education,
Fort. St. George,
Chennai - 9.

2. The Director of Elementary Education,
O/o. the Director of Elementary Education,
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O/o. the Block Educational Officer,
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Sivagangai District.

+1CC TO MR.T.LAJAPATHI ROY, Advocate Sr. No.79075
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 79203

WP(MD)No.16965 of 2019
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TR (05.08.2019) 3P 8C