

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 17.07.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No. 3349 of 2014****and****M.P. (MD) .Nos. 1, 2, 3 and 4 of 2014**

WEB COPY

A. Joseph

... Petitioner

Vs.

1. The Chief Educational Officer,
O/o. The Chief Educational Officer,
Tuticorin District.

2. The District Educational Officer,
O/o. The District Educational Officer,
Tuticorin District.

3. The Correspondent,
St. Francis Xavier's Higher Secondary School,
Tuticorin-628 001.

4. Mr. G. Arul John Bosco

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in Na.Ka.No.4205/A2/2013, dated 09.01.2014 received on 14.02.2014 on the file of the respondent No.1 and quash the same as illegal.

For Petitioner

: Mr. T. Lajapathi Roy

For R1 and R2

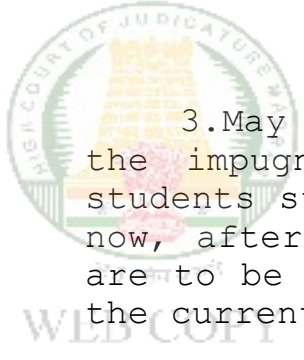
: Mrs. S. Srimathi

Special Government Pleader

ORDER

The order dated 18.11.2013 declaring the writ petitioner as surplus Teacher and transferring him to another School, is under challenge in the present writ petition.

2. The learned counsel for the writ petitioner states that the writ petitioner was erroneously declared as surplus Teacher more specifically, in violation of guidelines issued by the Government.



3. May that it be, this Court is of the considered opinion that the impugned order dated 18.11.2013 was passed, based on the students strength prevailing during the relevant academic year and now, after a lapse of 5 academic years, the cases of this nature are to be considered by the competent authority with reference to the current academic year report as well as the students strength.

4. This being the factum, the first respondent is directed to review the case of the writ petitioner with reference to the Government Orders in force and in accordance with the current academic year inspection's report, take a decision and issue suitable orders in this regard.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Chief Educational Officer,
O/o. The Chief Educational Officer,
Tuticorin District.

2. The District Educational Officer,
O/o. The District Educational Officer,
Tuticorin District.

+1 CC to Mr. T. LAJAPATHI ROY, Advocate SR-75910.

+1 CC to M/s. ISAAC CHAMBERS, Advocate SR-75975.

+1 CC to SPL GP SR-76039.

W.P. (MD) No. 3349 of 2014

and

M.P. (MD) Nos. 1, 2, 3 and 4 of 2014

17.07.2019

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