



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.2700 of 2015

and

CONT.P. (MD)No.434 of 2015

and

SUB.A. (MD)No.224 of 2015

W.P. (MD)No.2700 of 2015:-

M.Murugan

... Petitioner

-Vs-

1.The Chief Educational Officer,
Tuticorin, Tuticorin District.

2.The Secretary,
Sri Kumaraguru Swamigal Higher
Secondary School,
Srivaikundam, Tuticorin.

3.S.Athinathan
Secretary,
Hindu Higher Secondary School,
South Car Street, Alwarthirunagari,
Tuticorin District.

...Respondents

(R3 was impleaded as per order of this Court in M.P.(MD)No.4 of 2015 in W.P.(MD)No.2700 of 2015, dated 12.07.2019)

For Petitioner

: Mr.P.Samuel Gunasingh

For R1

: Mrs.S.Srimathy

Special Government Pleader

For R2

: No Appearance

For R3

: Mr.E.V.N.Siva

CONT.P. (MD)No.234 of 2015:-

M.Murugan

... Petitioner

-Vs-

1.Munusamy
Chief Educational Officer,
Tuticorin, Tuticorin District.



2.S.Athinathan
Secretary,
Hindu Higher Secondary School,
South Car Street, Alwarthirunagari,
Tuticorin District.

...Respondents

(R2 was impleaded as per order of this Court in SUB.A.(MD)No.221 of 2015 in CONT.P.(MD)No.434 of 2015, dated 13.10.2015)

Prayer: Petition filed under Section 11 of Contempt of Court Act, praying to punish the contemnor for his wilful disobedience in complying with the direction of this Court passed in M.P.(MD)No.1 of 2015 in W.P.(MD)No.2700 of 2015 vide order dated 27.02.2015.

Prayer in MP(MD) 1 of 2015 in WP(MD)No.2700 of 2015:-

Miscellaneous Petition is filed under section 226 of the constitution of India, to stay the Proceedings in NA.Ka.4150/A3/2014 dated 18.02.2015 on the file of the first Respondent.

Prayer in WP(MD)2700 of 2015: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, to call for the records and quash the proceedings in Na.Ka.No.4150/A3/2014, dated 18.02.2015 on the file of the first respondent.

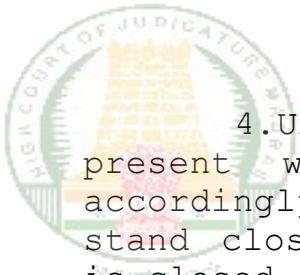
For Petitioner	: Mr.P.Samuel Gunasingh
For R1	: Mrs.S.Srimathy Special Government Pleader
For R2	: Mr.E.V.N.Siva

ORDER

The present writ petition has been filed challenging the order dated 18.02.2015 declaring the writ petitioner as surplus teacher and transferring the writ petitioner to Hindu Higher Secondary School, Alwarthirunagari, Tuticoron.

2.The deployment by treating a teacher as surplus candidate must be done with reference to the Inspection Report of the competent educational authority as per the Government Order in this regard. In the present case on hand, the writ petitioner was not continued in the original post.

3.As far as the third respondent in the Writ Petition is concerned, they have already filed a writ petition in W.P.(MD) No.9236 of 2018, challenging the order of deployment.



4. Under these circumstances, the grounds raised in the present writ petition deserve no merits consideration and accordingly, the writ petition as well as the Contempt Petition stand closed. No costs. Consequently, connected Sub Application is closed.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Chief Educational Officer,
Tuticorin, Tuticorin District.
 2. The Secretary,
Sri Kumaraguru Swamigal Higher
Secondary School,
Srivaikundam, Tuticorin.
 3. The Secretary,
Hindu Higher Secondary School,
South Car Street, Alwarthirunagari,
Tuticorin District.
- +1 CC to SPL GP SR-75215.

W.P. (MD) No. 2700 of 2015
and
CONT.P. (MD) No. 434 of 2015
12.07.2019

CS (07.08.2019) 3P 5C