



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.22628 of 2019

and

W.M.P. (MD) Nos.19380 and 19381 of 2019

WEB COPY

D.Anthoni Xavier

... Petitioner

-Vs-

1.The Secretary,

State Government of Tamil Nadu,
Department of School Education,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director of Elementary Education,

Directorate of Elementary Education,
College Road, Chennai-600 006.

3.The Chief Educational Officer,

O/o. The Chief Educational Officer,
Trichy, Trichy District.

4.The District Educational Officer,

O/o. The District Educational Officer,
Lalkudi Educational District,
Lalkudi, Trichy District.

5.The Block Educational Officer,

O/o. The Block Educational Officer,
Pullambadi Union, Pullambadi,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 3 to 5 to permit the petitioner to participate in the forthcoming Teachers General Transfer Counselling 2019-2020 for transfer and posting within Pullambadi Union in Trichy District by taking note of the fact that the petitioner was deployed from Pullambadi Union to Marungapuri Union in Trichy District within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.A.Thiagarajan,
Government Advocate.



ORDER

This Writ Petition is filed to direct the respondents 3 to 5 to permit the petitioner to participate in the forthcoming Teachers General Transfer Counselling 2019-2020 for transfer and posting within Pullambadi Union in Trichy District, by taking note of the fact that the petitioner was deployed from Pullambadi Union to Marungapuri Union in Trichy District, within the time stipulated by this Court.

2.Mr.A.Thiagarajan, learned Government Advocate takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, while he was working as Secondary Grade Teacher in Panchayat Union Primary School, M.Kannanur, Pullambadi Union, Trichy District, by the order dated 13.08.2016, he was deployed to Panchayat Union, Primary School, Maruthampatti, Marungapuri Union Trichy District. As per the Government Order, when a teacher is deployed to one union to another union, his seniority will be maintained in the union, where he was originally appointed. When a vacancy arose in the said union, preference will be given to the teacher, who was transferred from the said Union. When a vacancy arose in Panchayat Union School, M.Kannanur, Pullambadi Union, Trichy District, the petitioner was not considered for transfer and a teacher from another union was posted in that place. Even now, there are two vacancies in the Panchayat Union School, M.Kannanur, Pullambadi Union, Trichy District. When the petitioner has approached the fourth respondent, he assured that his request for transfer will be considered only by counselling. Therefore, the petitioner gave a representation dated 20.07.2019 to the respondents 3 to 5. However, the same has not been considered, so far. Hence, the petitioner has come out with the present Writ Petition.

4.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents and perused the materials available on record carefully.

5.From the materials on record, it is seen that the petitioner was deployed on 13.08.2016 to Panchayat Union, Primary School, Maruthampatti, Marungapuri Union Trichy District and she has given a representation to transfer him to the Panchayat Union School, M.Kannanur, Pullambadi Union, Trichy District. Now, the relief sought for in the Writ Petition is to permit him to participate in the forthcoming Teacher General Transfer Counselling for the year 2019-20 and no counselling is announced, so far.



6.Considering the above facts, the respondents 3 to 5 are directed to consider the representation of the petitioner dated 20.07.2019, on merits and pass orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Secretary,
State Government of Tamil Nadu,
Department of School Education,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Director of Elementary Education,
Directorate of Elementary Education,
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,
O/o. The Chief Educational Officer,
Trichy, Trichy District.
- 4.The District Educational Officer,
O/o. The District Educational Officer,
Lalkudi Educational District,
Lalkudi, Trichy District.
- 5.The Block Educational Officer,
O/o. The Block Educational Officer,
Pullambadi Union, Pullambadi,
Trichy District.

+1CC TO MR.S.LOUIS, Advocate Sr. No. 94921

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 94905

W.P. (MD) No.22628 of 2019

25.10.2019

avs (CO)

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