



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.24890 of 2019

and

W.M.P. (MD) No.21490 of 2019

S.Alagu Poorani

... Petitioner

-Vs-

1.The Director of School Education
DPI Compound
College Road, Egmore
Chennai 600 006

2.The Chief Educational Officer
Sivagangai District
Sivagangai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent herein to redeploy the petitioner from Government High School, Chelliyampatti to the previous School namely Government High School, Vellikuruchi in the post of B.T.Assistant (Science) by considering the petitioner's representation dated 18.11.2019.

For Petitioner : Ms.D.Rukmani

For Respondents : Mr.M.Karuppasamy
Government Advocate.

ORDER

This Writ Petition has been filed for a direction to the 2nd respondent herein to redeploy the petitioner from Government High School, Chelliyampatti to the previous School namely Government High School, Vellikuruchi in the post of B.T.Assistant (Science) by considering the petitioner's representation dated 18.11.2019.

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

3.The petitioner was working as B.T.Assistant (Science) in Government High School, Vellikuruchi. The petitioner and another, who are Juniors were identified as surplus teacher. The petitioner and other teacher were permitted to participate in the surplus transfer counselling and the petitioner joined duty in Government



High School, Chelliampatti and her Junior has selected Government High School, Karaikudi. The petitioner has no other option except to choose the Government High School, Chelliampatti and joined duty at Chelliampatti on 29.08.2019. According to the petitioner, one Mrs.Malarvanni and Mr.T.Selvam, who were working as B.T. Assistant (Science) in Government High School, Vellikuruchi, had participated in the promotional counselling for the post of P.G. Assistant and promoted as P.G.Assistant (Science) in Government Higher Secondary School, Eriyur and in Government Higher Secondary School, Thiruppachethi, respectively.

4.In view of the above fact, there is a vacancy in the B.T. Assistant(Science) in Government High School, Vellikuruchi, where the petitioner was previously working and there are vacancies in the said School. Usually, first the promotional counselling will be conducted and then only, the surplus teachers will be identified and transferred. Had the respondents conducted the promotional counselling at first, the petitioner could not have been the surplus teacher at Vellikuruchi. The petitioner gave representation on 18.11.2019 to the respondents to redeploy her to the parent School in the vacancy that arose due to promotion of two teachers as P.G.Assistant. Since no action has been taken, the petitioner has come up with the present Writ petition.

5.Considering the above facts, the contention of the learned counsel appearing for the petitioner and considering the nature of relief sought for in the Writ petition, the second respondent is directed to consider the case of the petitioner for redeploying her from Government High School, Chelliampatti to the Government High School, Vellikuruchi in the post of B.T.Assistant (Science), within a period of three weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)

Msa

To

1.The Director of School Education
DPI Compound College Road, Egmore
Chennai 600 006



2.The Chief Educational Officer
Sivagangai District
Sivagangai
Tirunelveli District

+1 CC to M/s.SPL GP (SR-101504[F] dated 26/11/2019)

+1 CC to M/s.D. RUKMANI, Advocate (SR-101857[F] dated 27/11/2019)

W.P. (MD) No.24890 of 2019

and

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25.11.2019

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