



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2019

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD) No.26018 of 2019

and

W.M.P. (MD) No.22519 and 22520 of 2019

B.Arunkumar

... 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 School Education,
Directorate of School Education,
College Road, Chennai - 600 006.
- 3.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Dindigul, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in G.O.Ms.(1D)No.393, School Education (Pa.Ka.5(1)) Department, dated 04.10.2019 on the file of the respondent No.1 and quash the same as illegal to the extent of restricting the participation of teachers with less than three years of service at the present station only to those who had already filed writ petitions and obtained orders and consequently to direct the respondent No.3 to permit the petitioner to participate in the General Transfer Counselling 2019-2020 for Block Educational Officers within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.M.Karuppasamy
Government Advocate



ORDER

Being aggrieved with the condition imposed in the impugned G.O.Ms.(1D)No.393, School Education (Pa.Ka.5(1)) Department, dated 04.10.2019, that the petitioner herein should have three years of station seniority to participate in the Counselling for General Transfer, the present writ petition has been filed.

2. Today, when the matter was called, the learned counsel for the petitioner submitted that aforesaid condition imposing three years of station seniority has been set aside by this Court in a batch of writ petitions, in which, W.P.(MD)No.24242 of 2019 is also one among them. The order passed by this Court is yet to be made ready.

3. The learned Government Advocate also ratifies that this Court had set aside such a condition.

4. In this background, the petitioner may not be aggrieved against such a condition, which could be an impediment for him to participate in the Counselling. As and when the Counselling for General Transfer is announced, it will always be open to the petitioner to participate in the same, for which he may be entitled to, since the pre-condition in G.O.Ms.(1D)No.393, School Education (Pa.Ka.5(1)) Department, dated 04.10.2019 has been set aside.

5. With the above observations, this Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

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

2.The Director of School Education,
Directorate of School Education,
College Road, Chennai - 600 006.

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



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

+1 CC to M/s.Specisl Govt.Pleader (SR-105298[F] dated 17/12/2019)

+1 CC to M/s.S.LOUIS, Advocate (SR-105445[F] dated 17/12/2019)

Order made in
W.P.(MD)No.26018 of 2018
16.12.2019

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SDS(09.01.2020) 3P-6C