

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.1934 of 2020

S. Shanthi

... Petitioner

-Vs-

1. The Chief Educational Officer,
Kancheepuram

2. The District Educational Officer
Kancheepuram.

3. Sri Krishna Aided Middle School,
Rep. by its Correspondent,
Chinna Kanchipuram
Kanchipuram.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue orders, directions or writ order in the nature of appropriate writ a Writ of Mandamus, directing the respondents 1 & 2 to extend the benefit of the order passed in W.P. No.11059 of 2010, dated 27.08.2019, to the petitioner by considering her representation dated 30.07.2019 and 15.10.2019, with regard to transfer/deployment of the petitioner from the third respondent school to other Government/Private Aided school in Kanchipuram Educational Block.

For Petitioner : Mr. S.N. Ravichandran

For Respondents : Mr. A. Rajaperumal
Additional Government Pleader
for R1 and R2.

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first and second respondents to consider the representations made by the petitioner and to transfer / redeploy the petitioner from the third respondent school to some other Government or Private aided school.

2. The case of the petitioner is that the female teachers belonging to the third respondent aided school were subjected to sexual harassment by the correspondent of the school. A

complaint was given before the Deputy Superintendent of Police and FIR came to be registered and after investigation, a final report was also filed. Some of the teachers belonging to the third respondent school approached this Court for a direction to appoint a committee to enquire the sexual harassment that was committed against the teachers in accordance with Vishaka Judgment of the Hon'ble Supreme Court. This Court issued directions and a committee was appointed and it was found that the female teachers were subjected to sexual harassment. The Writ Petition came up for final hearing and a stand was taken by the official respondents that the female teachers who were subjected to sexual harassment will be deployed to other schools. Taking note of the stand taken by the official respondents, this Court disposed of the Writ Petition by an order dated 27.08.2019, by directing the respondents to deploy the female teachers to other institutions.

3. The grievance of the petitioner is that she is also similarly placed and in fact, she was the complainant in that sexual harassment case and her representation seeking for deployment to some other school was not considered. Therefore, this Writ Petition has been filed seeking for appropriate directions.

4. Heard Mr. S.N. Ravichandran, learned counsel appearing for the petitioner and Mr. A. Rajaperumal, Additional Government Pleader, appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and the earlier orders passed by this Court in W.P. No.11059 of 2010, dated 27.08.2019, there shall be a direction to the first and second respondents to consider the representations made by the petitioner on 30.07.2019 and 15.10.2019 and pass appropriate orders redeploying the petitioner to some other Government School or a private aided school at Kanchipuram. Appropriate orders shall be passed within a period of four weeks. The petitioner is directed to make a fresh representation to the first and second respondents along with the copy of representations dated 30.07.2019 and 15.10.2019 and a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (J)

//True Copy//

Sub Assistant Registrar

bga

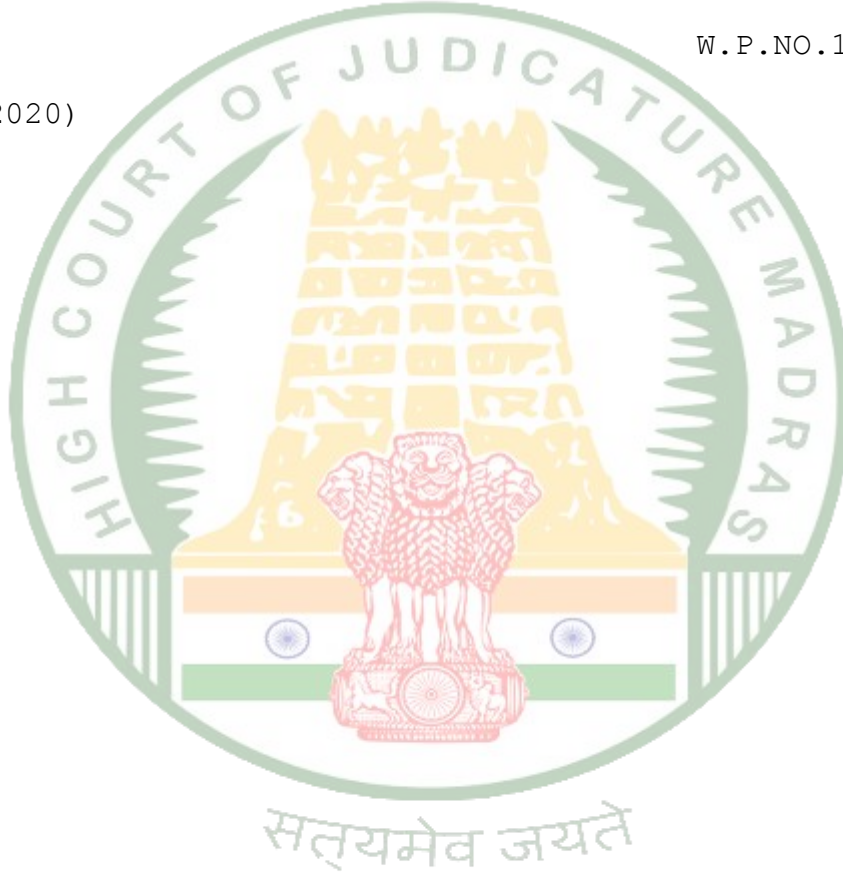
To

1. The Chief Educational Officer,
Kancheepuram
2. The District Educational Officer
Kancheepuram.

+lcc to Mr.S.N.Ravichandran, Advocate, S.R.No. 6772
+lcc to the Government Pleader, S.R.No. 7173

W.P.NO.1934 of 2020

GN(28/02/2020)



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