

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 06.07.2020

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.8839 of 2020
and
WMP No.10736 of 2020

S.Vijayakumari,
Noon Meal Organizer,
Panchayat Union Elementary School,
Chinnapanamutlu, Bargur Panchayat Union,
Krishnagiri District.

...Petitioner

Vs.

1.The District Collector,
(Nutrition Section),
Krishnagiri District.

2.Block Development Officer,
Bargur Panchayat Union,
Krishnagiri District.

...Respondent

Prayer:

Writ Petition filed under Section Article 226 of the Constitution of India praying Writ of mandamus directing the first respondent to pass appropriate orders transferring the petitioner as Noon Meal Organizer to Government Girls Higher Secondary School, Pochampalli in Krishnagiri District, based on the letter sent by the 2nd respondent dated 20.03.2020 within a reasonable period to be fixed by this Hon'ble Court, without accommodating any other person except the petitioner in the said place.

For Petitioner

:Mr.C.Mahendran

For Respondent

:Mr.P.S.Siva Shanmugha

Sundaram

Special Government Pleader

ORDER

(The matter is taken up through web hearing)

This writ petition has been filed with the following prayer:

"to direct the first respondent to pass appropriate orders transferring the petitioner as Noon Meal Organizer to Government Girls Higher Secondary School, Pochampalli in Krishnagiri District, based on the letter sent by the 2nd respondent dated 20.03.2020 within a reasonable period to be fixed by this Hon'ble Court, without accommodating any other person except the petitioner in the said place."

2. According to the petitioner, she is working as a Noon Meal Organiser in a Panchayat Union Elementary school, Chinnapanammuthu, Burgoor Panchayat Union, Krishnagiri District.

3. According to her, she was originally working as Noon Meal Organiser at Panchayat Elementary School, Anuma Goundanur School, which was located within a Kilometer from her residence, i.e. Konnanur in Pochampalli. She was transferred from that school in view of reduction of strength of students in that school. The distance between her residence and her present place of work is about 25 Kilometers. According to her, there is no direct transport from her residence to her work place and she is also having certain physical ailment, finding it difficult to travel to a long distance.

4. One Gunasekaran, working as Noon Meal Organizer, Government Girls Higher Secondary School, Pochampalli, expressed his willingness for mutual transfer to the petitioner's present place of employment and vice-versa. The petitioner also agreed to the mutual transfer and jointly both the petitioner and the said Gunasekaran submitted their representation on 09.03.2020 to the first respondent. According to the petitioner, the request for mutual transfer has been forwarded to the first respondent by the second respondent.

5.The grievance of the petitioner is that the said Gunasekaran is also likely to retire by 30.06.2020. The apprehension is that in case, the said retirement vacancy is filled up, the petitioner herein will be deprived of a chance to get transfer to the school at Pochampalli, where the said Gunasekaran is working. Therefore, the present writ petition has been filed seeking for a direction to the first respondent to consider the request of the petitioner for transferring her to Government Girls Higher Secondary School, Pochampalli, on the basis of forwarding letter by the second respondent dated 20.03.2020.

6.Mr.P.S.Siva Shanmugha Sundaram, learned Special Government Pleader takes notice on behalf of the respondents.

7.In view of the limited prayer being sought by the writ petitioner and also considering the simplicity of the issue, the writ petition is disposed of at the admission stage itself, with the following direction;

(i)The first respondent is directed to consider the request of the petitioner on the basis of the communication by the second respondent dated 20.03.2020 and pass appropriate orders within a period of four weeks from the date of receipt of copy of this order.

(ii)The first respondent is also directed to consider the request of the petitioner sympathetically after taking into consideration the difficulties expressed by the petitioner in support of her request for transfer.

8.No costs. Connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

msh/mrm

To

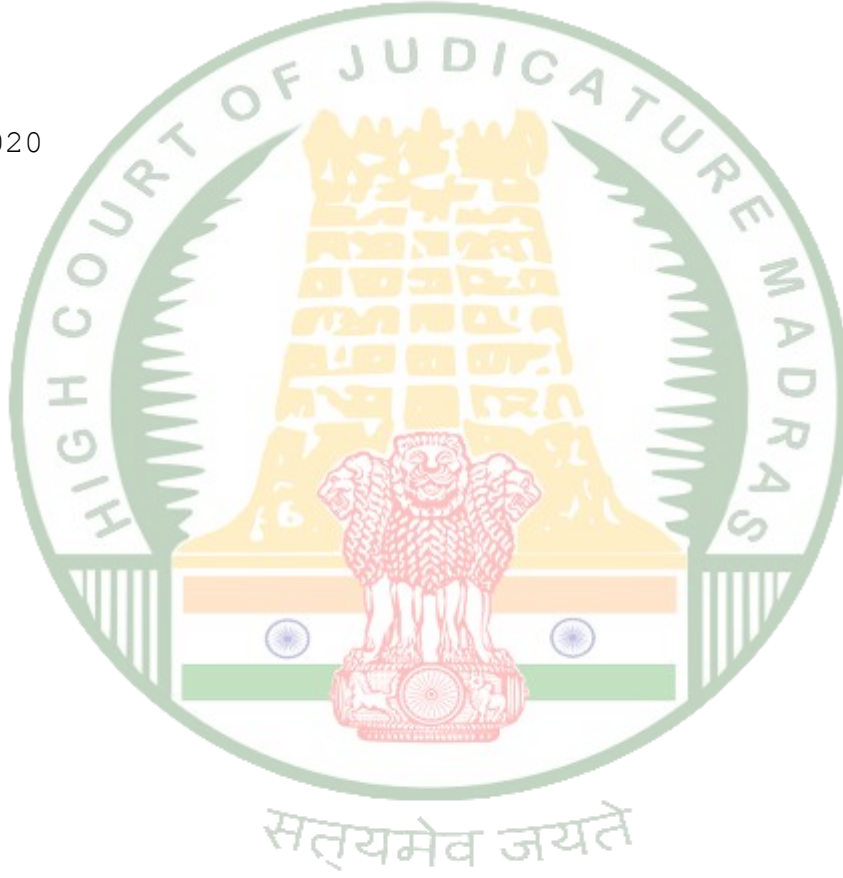
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