

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2020

CORAM :
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8780 of 2020
and
W.M.P.No.10655 of 2020

M.Unnamalai,
W/o.S.Mani,
Marigiundansavaloor,
Panneswaramadam Post,
Kaveripattinam Via,
Krishnagiri Taluk and District.Petitioner

versus

- 1.The District Collector
(Nutrition Section),
Krishnagiri District.
- 2.The Block Development Officer,
Kaveripattinam Panchayat Union,
Krishnagiri District.Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to give effect to the decision of transferring the petitioner as Noon Meal Organizer from Government Higher Secondary School, S.Ramapuram in Kaveripattinam Panchayat Union, Krishnagiri District to Government Girls Higher Secondary School, Kaveripattinam in Krishnagiri District, based on the proceedings of the first respondent dated 04.05.2020, without accommodating any other person in the said place.

For Petitioner : Mr.T.Balachandran
For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for the respondents. By consent of both the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. According to the petitioner, she is working as Noon Meal Organizer in the Government Higher Secondary School, S.Ramapuram in Kaveripattinam Panchayat Union, Krishnagiri District for the past six years. The distance between her residence and the working place is around 9 kilometers and there is no direct transportation made available to her. Whereas, the Government Girls Higher Secondary School, Kaveripattinam in Krishnagiri District, is situated nearby her residence i.e., within 2.5 kilometers and one Sundaram, who is working as Noon Meal Organizer in the said school, expressed his consent to work at the school, where the petitioner is now working, on mutual transfer. Hence, both the petitioner and the said Sundaram made separate representations dated 10.02.2020 to the second respondent, who in turn, forwarded the same to the first respondent on 11.02.2020. Based on the said proposal, the first respondent issued a proceedings dated 04.05.2020 transferring the petitioner and the said Sundaram to the Government Girls Higher Secondary School, Kaveripattinam and the Government Higher Secondary School, S.Ramapuram respectively. However, the said Sundaram retired from service with effect from 31.05.2020 on attaining the age of superannuation, due to which, the order passed by the first respondent dated 04.05.2020 was not acted upon. Now, there is an attempt to accommodate some other person in that place. Therefore, the petitioner has approached this Court with the present writ petition, directing the respondents to give effect to the proceedings of the first respondent dated 04.05.2020 by transferring her from the Government Higher Secondary School, S.Ramapuram to the Government Girls Higher Secondary School, Kaveripattinam.

3. Heard both sides and perused the materials placed before this Court.

4. Considering the facts and circumstances of the case, more particularly, that the first respondent by proceedings dated 04.05.2020, already transferred the petitioner to the Government Girls Higher Secondary School, Kaveripattinam, on mutual transfer, this Court, without going into the merits of the case, directs the respondents to consider the claim of the petitioner and pass appropriate orders, on merits and in accordance with law and also in the light of the proceedings of the first respondent dated 04.05.2020. Such an exercise shall be done by the respondents, within a period of two (2) weeks from the date of uploading the copy of this order in the website.

5.The Writ Petition is disposed of accordingly. No costs.
Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

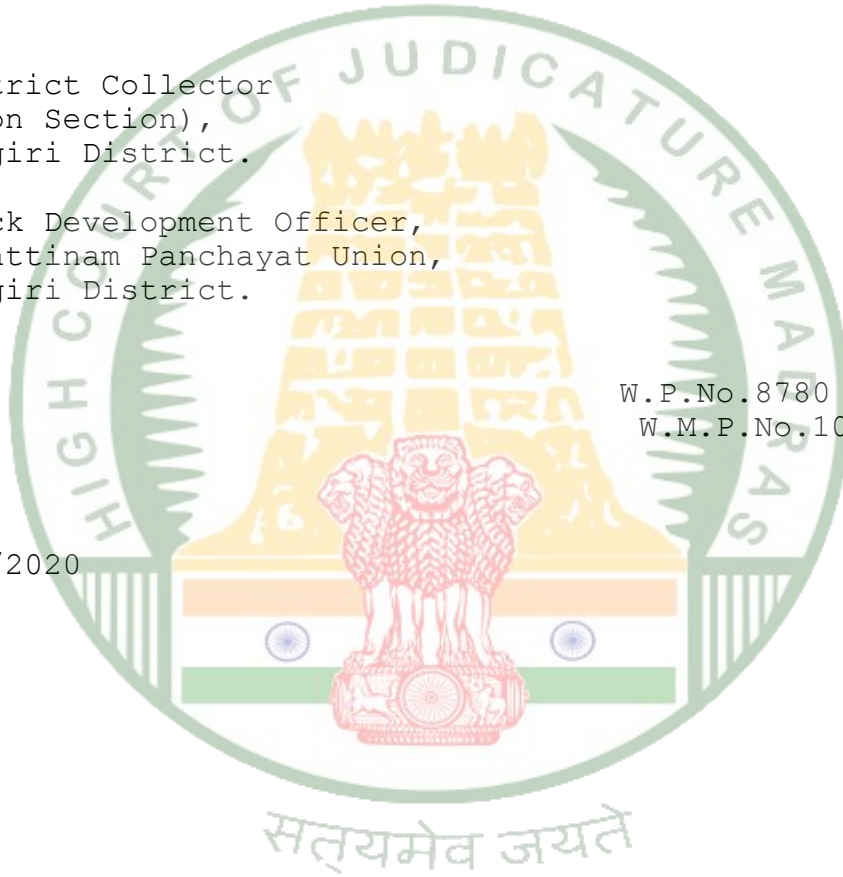
sri

To

- 1.The District Collector
(Nutrition Section),
Krishnagiri District.
- 2.The Block Development Officer,
Kaveripattinam Panchayat Union,
Krishnagiri District.

W.P.No.8780 of 2020 and
W.M.P.No.10655 of 2020

NR(CO)
KKV/18/08/2020



WEB COPY