

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2020

CORAM

THE HONOURABLE THIRU JUSTICE V.PARTHIBAN

W.P.NO.12466 OF 2020

K.Kanagavalli

... Petitioner

Vs.

1. Director of School Education,
Nungambakkam, Chennai - 6.

2. Chief Educational Officer,
Salem District, Salem.

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to receive the petitioner's application and to process for her transfer to the existing vacancy of Drawing Teacher post at Government Hr.Sec.School, Sarkar Kollapatty in Salem District for the current academic year, within reasonable time to be fixed by this Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.P.Raja
Government Advocate

ORDER

The matter is taken up through web hearing.

2.This writ petition is filed for the following prayer;

"To direct the 2nd respondent to receive the petitioner's application and to process for her transfer to the existing vacancy of Drawing Teacher post at Government Hr.Sec.School, Sarkar Kollapatty in Salem District for the current academic year."

3.The petitioner is working as Drawing Teacher at Government Higher Secondary School, Vellalapatti, Salem Distirct. The petitioner originally submitted a request on 06.06.2018 during the General Transfer counseling seeking transfer to nearby School located close to her residence. However, she was posted to the present place of work which is 17 kilometers away from her residence.

4.According to the petitioner, there is a vacancy of Drawing Teacher in Sarkar Kollapatti School, which is situated about 4 kilometers from her residence. This vacancy was not originally shown in the General Transfer Counseling. Since there is a clear vacancy available against the post of Drawing Teacher at Sarkar Kollapatti School near her residence, she submitted a representation on 19.08.2020, but the same was not considered in view of her earlier posting happened only two years before. In the said circumstances, the petitioner is before this Court.

5.When the matter is taken up for hearing, Mr.R.Neelakandan, learned counsel for the petitioner would submit that her request for being transferred and posted in the existing vacancies at Sarkar Kollapatti School may be considered in the ensuing General Transfer Counseling for the present academic year.

6.At this, Mr.P.Raja, learned Government Advocate would submit that if a direction is issued to consider her request for the General Counseling to be conducted for the present year, the same would be considered without reference to the earlier posting.

7.In view of the above submissions, this Court disposes of the writ petition with a direction as under:

The respondents are directed to consider the request of the petitioner in the light of her representation dated 19.08.2020 for transferring her to the School of her choice in terms of the said representation in the existing vacancy in the ensuing General Counseling to be conducted for the present academic year. In case of any clear existing vacancy in the School identified by the petitioner, the authorities may consider her request favourably.

8.With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pns/mrm

To

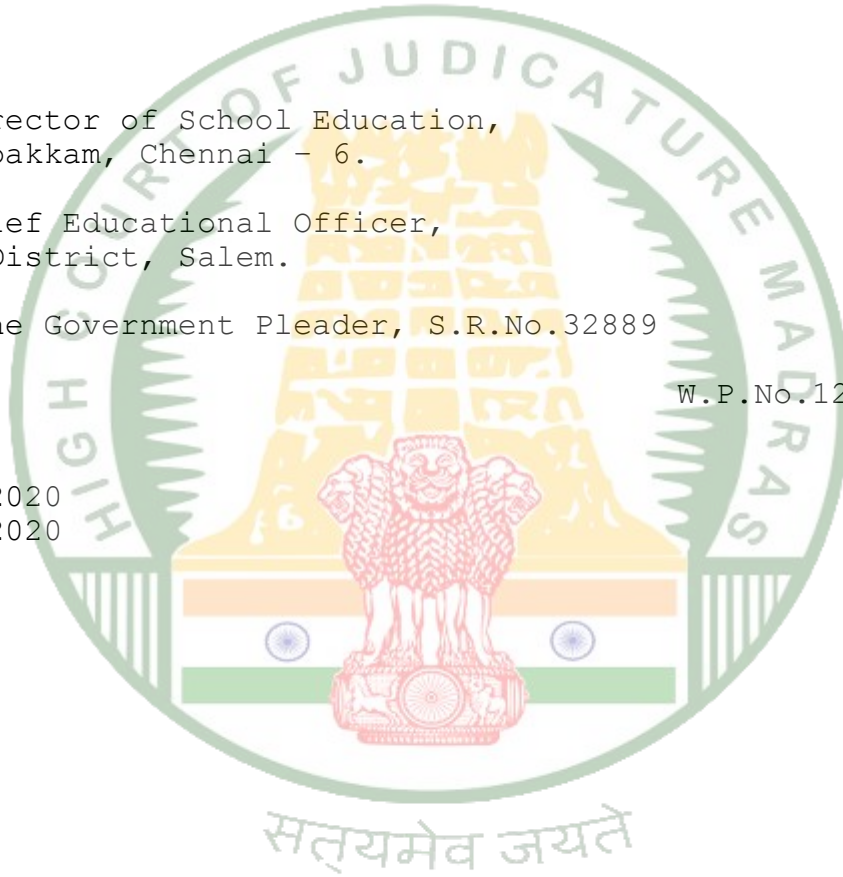
1. The Director of School Education,
Nungambakkam, Chennai - 6.

2. The Chief Educational Officer,
Salem District, Salem.

+1cc to the Government Pleader, S.R.No.32889

W.P.No.12466 of 2020

MG (CO)
CS/29/10/2020
CS/02/11/2020



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