

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.16186 OF 2018

AND

WMP NO.19275 OF 2018

N.Vasuki

.. Petitioner

.v.

1. Director of School Education,
College Road,
Nungambakkam,
Chennai-34.
2. Director of Elementary Education,
College Road,
Nungambakkam,
Chennai-34.
3. Joint Director of School Education,
College Road,
Nungambakkam,
Chennai-34.
4. Joint Director of School Education,
College Road,
Nungambakkam,
Chennai-34.
5. Chief Education Officer,
Raja Street,
Coimbatore.
6. The District Elementary Education Officer,
Raja Street,
Coimbatore.
7. The Head Master,
Government High School,
Kande Goundan Chavadi,
Coimbatore District.

8. The Head Master,
Government Higher Secondary School,
Valparai,
Coimbatore District.

... Respondents

Prayer:-

Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the proceedings of 5th respondent in Na.Ka.No.6542/A3/2017, dated 19.06.2018 to quash the same.

For Petitioner : Mrs.Sumitra Vasudevan
for Mr.C.Veeraraghavan

For Respondents : Mrs.V.Annalakshmi
Government Advocate

O R D E R

This Writ Petition has been filed challenging the proceedings of the 5th respondent dated 19.06.2018, transferring the petitioner from GHS K.G.Chavadi School, Coimbatore to Government Higher Secretary School, Valparai, on the ground that she was found to be a surplus teacher and therefore she was transferred to a school which required a teacher.

2.The learned counsel for the petitioner submitted that pursuant to the transfer order passed by this 5th respondent, the petitioner had no other option except to join the School at Valparai. The learned counsel submitted that the petitioner is aged more than 55 years and she faces health problems and her family is at Coimbatore. The learned counsel further submitted that the 5th respondent can be directed to re-transfer the petitioner back to Coimbatore and according to the petitioner, there is a requirement of teacher in the Coimbatore School.

3.The learned Government Pleader submitted that the petitioner can make representation to the concerned authority and the same will be considered on its own merits and in accordance with law.

4.In view of the fact that the petitioner has already joined the School at Valparai and she has been serving there from more than a year, this Court does not want to go into the merits of the case and decide upon the transfer order passed by the 5th respondent. The petitioner is expressing certain

difficulties in continuing at Valparai in view of her age and her domestic problems and she wants a re-transfer to Coimbatore.

5. In view of the above, the petitioner is given liberty to make a representation to the 5th respondent to re-transfer her back to Coimbatore School and on receipt of the representation, the 5th respondent is directed to pass appropriate orders on its own merits and considering the vacancy position, within a period of four weeks from the date of receipt of the re-representation from the petitioner.

This Writ Petition is disposed of with the above directions. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

KP

To

1. Director of School Education,
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Valparai, Coimbatore District.

+1cc to Mr.C.Veeraraghavan, Advocate, S.R.No.5502

W.P.No.16186 of 2018

VGII(CO)
CS/09/03/2020



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