



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.07.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.8391 of 2020

and

W.M.P.(MD) Nos.7798 and 7800 of 2020

(Through Video conferencing)

K.Rukmani

...Petitioner

-Vs-

1.The Director of Elementary Education,
College Road, Chennai - 600 006.

2.The Chief Educational officer,
Thoothukudi, Thoothukudi District.

3.The District Educational officer,
Kovilpatti - 628 501,
Thoothukudi District.

4.The Block Educational Officer,
Kovilpatti - 628 501,
Thoothukudi District.

5.N.Ilayaraja,
Secondary Grade Teacher,
Panchayat Union Primary School,
Rasapatti, Kovilpatti Union,
Thoothukudi District.

...Respondents

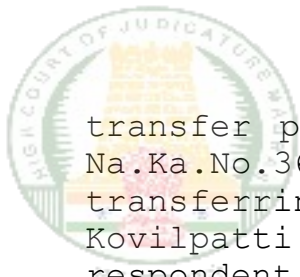
Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned order of transfer passed by the 2nd respondent Chief Educational Officer in Na.Ka.No.3662/E2/2019 dated 20.11.2019 in favour of 5th respondent transferring him to Panchayat Union Primary School, Rasapatti, Kovilpatti Union, Quash the same and further direct the 2nd respondent CEO to redeploy the petitioner in the post of Secondary Grade Teacher at Panchayat Union Primary School, Rasapatti, Kovilpatti Union considering her seniority as per the guidelines prescribed under G.O.(1D) No.217, School Education {(Pa.Ka.5(1)} Department dated 20.06.2019.

For Petitioner : Mr.K.Ragatheesh Kumar
for Isacc Chambers

For Respondents : Mr.A.Thiyagarajan, . For RR1 to 4

ORDER

The prayer sought for herein is for a writ of Certiorarified Mandamus, calling for the records relating to the impugned order of
<https://hcservices.ecourts.gov.in/hcservices/>



transfer passed by the 2nd respondent Chief Educational Officer in Na.Ka.No.3662/E2/2019 dated 20.11.2019 in favour of 5th respondent transferring him to Panchayat Union Primary School, Rasapatti, Kovilpatti Union, Quash the same and further direct the 2nd respondent CEO to redeploy the petitioner in the post of Secondary Grade Teacher at Panchayat Union Primary School, Rasapatti, Kovilpatti Union considering her seniority as per the guidelines prescribed under G.O.(1D) No.217, School Education {(Pa.Ka.5(1)) Department dated 20.06.2019.

2.Heard Mr..K.Ragatheesh Kumar, learned counsel appearing for the petitioner and Mr.A.Thiyagarajan, learned Government Advocate appearing for the respondents 1 to 4. In view of the order going to be passed in this writ petition, notice to the 5th respondent is dispensed with.

3.The learned counsel appearing for the petitioner would submit that, even though the prayer sought for in this writ petition is for a writ of certiorarified mandamus, calling for the records to quash the order dated 20.11.2019 passed by the 2nd respondent, where one, Ilayaraja, Secondary Grade teacher (R5) had been transferred or deployed from Panchayat Union Primary School, M.Duraichamiyapuram, Pudur Union to Panchayat Union Primary School at Rasapatti, Kovilpatti Union, subsequent to the said impugned order, the petitioner on 25.11.2019 had given a representation to the Director, i.e., the 1st respondent to place him in the post, where the said incumbent had been transferred or deployed through the impugned order and the said representation has not so far been considered, therefore, the petitioner wants to confine with the prayer to seek for mandamus to consider his representation dated 25.11.2019 on merits and in accordance with law and if such direction is given, the petitioner would be satisfied.

4.The learned Government Advocate appearing for the official respondents would submit that, the said representation dated 25.11.2019 submitted by the petitioner would be considered on merits within a time frame.

5.Considering the said submission made by the learned Government Advocate and the submission now made by the learned counsel appearing for the petitioner to confine with the prayer of mandamus only to consider the representation of the petitioner dated 25.11.2019, this Court is inclined to disposed of this writ petition with the following direction:

"The official respondents, especially, the 1st respondent is hereby directed to consider the representation submitted by the petitioner dated 25.11.2019 and pass orders thereon, on merits and in accordance with law, within a period of eight weeks from



the date of receipt of a copy of this order."

6. With this direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Director of Elementary Education,
College Road, Chennai - 600 006.

2. The Chief Educational officer,
Thoothukudi, Thoothukudi District.

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Thoothukudi District.

4. The Block Educational Officer,
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Thoothukudi District.

+1 CC to M/s. ISAAC CHAMBERS, Advocate (SR-13611[F] dated 04/08/2020)

W.P. (MD)No.8391 of 2020
31.07.2020

KB(24.08.2020) 3P 6C