



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 07.12.2020**

**CORAM:**

**THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

**W.P. [MD]No.17776 of 2020**

**and**

**W.M.P (MD) No.14949 of 2020**

B.Arunkumar

... Petitioner

Vs.

- 1.The Secretary,  
State Government of Tamil Nadu,  
Department of School Education,  
Secretariat, Fort St. George,  
Chennai-9.
- 2.The Director of School Education,  
Directorate of School Education,  
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,  
O/o. the Chief Educational Officer,  
Madurai,  
Madurai District.
- 4.S.Vadivel,  
The Block Education Officer,  
O/o. Block Education Office,  
T.Kallupatti,  
Madurai District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.371/A1/2020 dated 09.2020 signed on 07.09.2020 on the file of the third respondent and quash the same as illegal and consequently to direct the second and third respondents to consider the petitioner for transfer and posting to the post of Block Education Officer at T.Kallupatti Block, Madurai District within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For R-1 to R-3 : Mr.N.Shanmugaselvam  
Additional Government Pleader



**O R D E R**

This Writ Petition has been filed to quash the impugned order in Na.Ka.No.371/A1/2020 dated 09.2020 signed on 07.09.2020 on the file of the third respondent and consequently to direct the second and third respondents to consider the petitioner for transfer and posting to the post of Block Education Officer at T.Kallupatti Block, Madurai District within the time stipulated by this Court.

2.The learned counsel appearing for the petitioner would submit that initially the petitioner has given a representation, dated 18.03.2020 for transfer and posting to the vacant post of Block Education Officer at T.Kallupatti. Since the respondents have not considered the same, the petitioner has approached this Court by way of filing a writ petition in W.P(MD) No.15080 of 2020. This Court by an order dated 10.11.2020, issued a direction to the respondents therein to dispose of the petitioner's representation dated 18.03.2020. In the mean time, the fourth respondent was transferred to the said vacant place by the third respondent vide impugned proceedings dated 07.09.2020. He would further submit that one more person namely S.Murugan was also strangely transferred by the second respondent vide another proceedings dated 30.10.2020. As of now, two persons were posted to one post of Block Education Officer at T.Kallupatti. Now the petitioner has also given a representation as early as in the month of March seeking transfer to the same place.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and perused the materials placed on record.

4.In view of the above, since two persons were posted in the same place, the issue with regard to who will be appointed in the said post is to be decided only by the third respondent. In these circumstances, the petitioner has also filed the present writ petition for transfer to the said place and particularly, this writ petition has been filed to challenge the transfer order dated 07.09.2020. As stated earlier, since two persons were already appointed, it may be difficult to consider one more person, for the one post, available with the third respondent. Further this Court is of the view that every body seeking transfer to a particular place, it is not possible for the third respondent to consider the same.

5.Hence, I do not see any merits in the present writ petition and, therefore, I propose to dismiss the writ petition.



Accordingly, this Writ Petition is dismissed. No costs.  
Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

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/ /2020

Sub Assistant Registrar (CS)

cp

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 Secretary,  
State Government of Tamil Nadu,  
Department of School Education,  
Secretariat, Fort St. George,  
Chennai.
- 2.The Director of School Education,  
Directorate of School Education,  
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,  
O/o. the Chief Educational Officer,  
Madurai,  
Madurai District.

+1 CC to SGP ( SR-24453[F] dated 08/12/2020 )

+1 CC to M/s.S.LOUIS, Advocate ( SR-24459[F] dated 08/12/2020 )

W.P.[MD]No.17776 of 2020  
07.12.2020

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