



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2020

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

W.P. (MD) No.5903 of 2015
and M.P. (MD) No.1 of 2015

A.Rengaraj

... Petitioner

Vs.

1.State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St.George, Chennai - 09.

2.The Director of School Education,
College Road, Chennai - 06.

3.The Joint Director of School Education,
(Higher Secondary Education),
Chennai - 06.

4.The Chief Educational Officer,
Dindigul, Dindigul District.

5.Sharmila Banu.H,
Post Graduate Assistant (Tamil),
Government Boys Higher Secondary School,
Vedachandur, Vedachandur Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Declaration, to declare the counselling for allotment to the post of Post Graduate Assistant (Tamil) within Dindigul District held on 28.03.2015 at the fourth respondent Office and the allotment and posting of the respondent No.5 to the vacant post of Post Graduate Assistant (Tamil), Government Boys Higher Secondary School, Vedachandur, Dindigul District as illegal and consequently to direct the respondents No.3 and 4 to allot and post the petitioner as Post Graduate Assistant (Tamil), Government Boys Higher Secondary School, Vedachandur, Dindigul District within the time stipulated by this Court.



For Petitioner : Mrs.Kanimozhi,
for M/S.T.Lajapathy Roy

For R1 to R4 : Mrs.S.Srimathi,
Special Government Pleader.

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ORDER

Post or place can never be claim as a matter of choice by the employees. It is the administrative provocative of the competent Authorities to post the employees in a place where an effective function is necessary. As far as the employees are concerned, post or place can never be a choice and they are bound to work wherever they are posted. However, certain instructions issued by the Government in this regard is to be followed.

2.The learned counsel appearing for the petitioner made a submission that the writ petitioner was appointed in a School, in violation of the Government Rules. However, clear facts are not established so as to prove that the writ petitioner was appointed contrary to the Government guidelines issued by way of letter.

3.This Court is of the considered opinion that the relief sought for as such cannot be granted. If at all any grievance is exist, the petitioner is at liberty to approach the competent Authorities for redressal on merits and in accordance with law.

4.With these observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

To

1.The Principal Secretary,
Department of School Education,
Fort St.George, Chennai - 09.

2.The Director of School Education,
College Road, Chennai - 06.



3.The Joint Director of School Education,
(Higher Secondary Education),
Chennai - 06.

4.The Chief Educational Officer,
Dindigul, Dindigul District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-19923[F] dated
13/10/2020)

+1 CC to M/s.GP (SR-20027[F] dated 14/10/2020)

W.P. (MD) No.5903 of 2015
12.10.2020

sss(CO)
TR(28.10.2020) 3P 7C