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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.23466 of 2021

(Through Video Conferencing)

R.Vijaya Thanga Nirmala

... Petitioner

Vs

1. The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
2. The Director,
Directorate of School Education,
DPI Campus,
Egmore, Chennai - 600 008.
3. The Chief Educational Officer,
Office of the Chief Educational Officer,
Chinna Ekkadu,
Jaya Nagar, Thiruvallur - 602 001.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to transfer the Petitioner/Secondary Grade Teacher working in the Panchayat Union Primary School, Kadamancheri, Minjur Block, Thiruvallur District to any other School as Secondary Grade Teacher in Tirunelveli District or Kanyakumari District based on Government Order in G.O.(1D).No.129, School Education Department dated 09.05.2013 within the time stipulated by this Hon'ble Court based on the petitioner's representation dated 15.03.2021.

For Petitioner

: Mr.M.Purushothaman

For Respondents

: Mr.L.S.M.Hasan Fizal
Government Advocate



ORDER

Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the respondents.

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2. It is the case that the petitioner's husband passed away on 14.10.2017. It is submitted that the petitioner has sent several representations to the first respondent with a request to retransfer the petitioner back to her home district in Tirunelveli.

3. The learned counsel for the petitioner further submits that the Government Order in G.O.Ms(1D).No.129, School Education (E1) Department dated 09.05.2013 has to be applied for re-transferring the petitioner subject to availability of vacancy.

4. Considering the fact that the petitioner's representations starting from 21.06.2018 ending with 29.07.2021 has not received attention from the respondents, this Writ Petition is disposed without expressing any opinion on merits of the case by directing the second respondent to consider the petitioner representations and to pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order in accordance with law and on merits.

5. While passing such orders, the second respondent may also consider the Government Orders in G.O.Ms(1D).No.129, School Education (E1) Department dated 09.05.2013 and in G.O.(Ms) No.243, School Education [EE3(2)] Department dated 30.11.2013. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

rgm/arb

To

1. The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
2. The Director,
Directorate of School Education,
DPI Campus,
Egmore, Chennai - 600 008.



3. The Chief Educational Officer,
Office of the Chief Educational Officer,
Chinna Ekkadu,
Jaya Nagar, Thiruvallur - 602 001.

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+1cc to M/s.M.Purushothaman, Advocate, S.R.No.56390

W.P.No.23466 of 2021

AJS (CO)
SU(22/11/2021)