



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P(MD) No.17021 of 2021

and

W.M.P(MD) Nos.13949, 13950 & 13952 of 2021

WEB COPY

N.Ashok Kumar

... Petitioner

Vs.

1.The Commissioner of School Education,
College Road,
Chennai.

2.The Joint Director of School Education, (Personnel)
Office of the Director of School Education,
College Road,
Chennai.

3.The Chief Educational Officer,
Tenkasi,
Tenkasi District.

4.The Chief Educational Offficer,
Thirunelveli,
Thiurnelveli District.

... Respondents

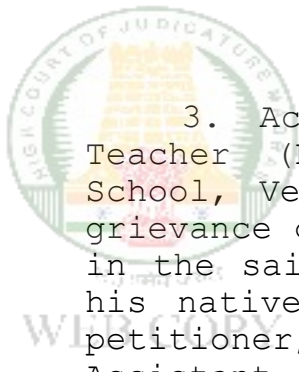
PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, to quash clause 4(i)(ஐ) of Government Order 134 (1D) dated 18.08.2021 and the consequential proceeding of the 1st respondent in ந.க எண் 41779/ஈ-4/இ1/2021 dated 13.09.2021 as illegal and consequently direct the respondents to conduct transfer counselling for the teachers who are already working as B.T Assistants.

For Petitioner : Mr.A.Srinivasan
For Respondents : Mr.S.Shanmugavel,
Standing Counsel for State.

O R D E R

Mr.S.Shanmugavel, learned Standing Counsel for State takes notice for the respondents.

2. By consent, this Writ Petition is taken up for final disposal.



3. According to the petitioner, he is working as Graduate Teacher (BT Assistant English) in Government Higher Secondary School, Veeracholan, Thiruchuli Taluk, Virudhunagar District. The grievance of the petitioner is that from 2014 onwards, he is serving in the said place without getting transfers to any district nearby his native place or to his native District. According to the petitioner, there are three vacancies available for the post of B.T. Assistant (English) in Tenkasi District and further the conversion to the regular B.T. Assistant transfer counselling was concluded on 16.09.2021. Hence, the petitioner seeks transfer in any of the vacancy in Tenkasi District.

4. The learned Standing Counsel for State appearing for the respondents would submit that the respondents will consider the request of the petitioner only in accordance with the policy decision taken by the Government.

5. Even though the petitioner has challenged the Government Order, in the hearing today, the learned counsel appearing for the petitioner restricted the prayer and submitted that it would suffice, if there is a direction to the respondents to consider the request of the petitioner seeking transfer in any one of the vacancies in Tenkasi District.

6. In view of the above this Court, without expressing any opinion on the merits of the matter, given liberty to the petitioner to make an application to the educational authority, seeking to transfer in any one of the vacancies in Tenkasi District, within a period of one week from the date of receipt of a copy of this order. In the event of such an application being made, the Educational Authority shall consider the same and pass orders as expeditiously as possible, preferably within a period of four weeks therefrom.

7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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

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+1 CC to M/s.A.SRINIVASAN, Advocate (SR-29735[F] dated 21/09/2021)

+1 CC to M/s.SPL.GP (SR-29868[F] dated 22/09/2021)

W.P (MD) No.17021 of 2021
21.09.2021

RD(1.10.2021) 3P 7C