



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.13481 of 2018

and W.M.P. (MD) Nos.12288 & 12289 of 2018

(Through Video Conference)

WEB COPY

J.Bamila

... Petitioner

Vs

1. The Director of Elementary Education,
D.P.T. Campus,
College Road,
Chennai 600 006

2. The Chief Educational Officer,
C.E.O Office,
Tuticorin, Tuticorin District.

3. The District Elementary Educational Officer,
D.E.E.O. Office,
Tuticorin,
Tuticorin District.

4. The District Elementary
Educational Officer,
D.E.E.O. Office,
Tiruchendur, Tuticorin District.

... Respondents

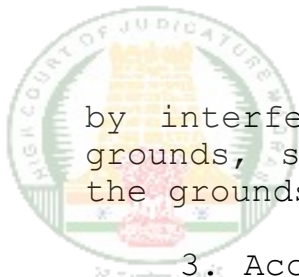
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records in connection with the impugned order passed by the 2nd respondent in Na.Ka.No.2517/E1/2018, dated 18.06.2018, quash the same as illegal and consequently directing the respondents 1 to 4 to permit the petitioner to continue as Secondary Grade Teacher at Panchayat Union Primary School, Puthantharuvai, Sathankulam Union, Tuticorin District.

For Petitioner	: Mr.S.Bharathy Kannan
For Respondents	: Mr.A.Thiyagarajan, Government Advocate

O R D E R

The order of transfer dated 18.06.2018, is under challenge in the present writ petition. The grounds raised by the petitioner does not allege malafides or question the jurisdiction of the Authority of the respondents in passing the transfer order.

2. It is a settled proposition that the Writ Court will not exercise its powers under Section 226 of the Constitution of India



by interfering with the transfer orders passed on administrative grounds, subject to very few exceptions, which exceptions are not the grounds raised in the present writ petition.

3. According to the counter affidavit filed by the respondents, that on 10.06.2013, the petitioner was transferred to the Panchayat Union Middle School, Perumalapuram, Aalvar Thirunagari Union, Tuticorin District on her own request. Hence, her parent unit of appointment in Tuticorin District was the Panchayat Union of Aalvar Thirunagari. She was thereafter re-deployed to the Panchayat Union Middle School, Tiruchendur Union on 12.08.2016. When a vacancy arose in the petitioner's parent Union viz. Aalvar Thirunagari Union in the year 2018, she was transferred to her parent Union and was posted to the Panchayat Union Middle School, under her parent Union on 18.06.2018, which order is under challenge in the present writ petition.

4. Such a transfer to the parent Union has been effected in view of G.O.Ms.No.270, School Education Department, dated 10.07.2012 which states that, when a teacher is re-deployed from one Union to another Union on the ground of surplus, she is liable for transfer to her parent unit as and when a vacancy arises in the parent unit and that her seniority in the parent unit will be maintained for the purpose of promotion.

5. In view of the same, I do not find any irregularity in the transfer order made in Na.Ka.No.2517/E1/2018, dated 18.06.2018, which has been made purely on administrative grounds. Hence, no interference is required to the same. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

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.



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ES (CO)
KB(23.02.2021) 3P 5C