



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.14284 of 2018

and

W.M.P (MD) Nos.12946, 12947 & 14828 of 2018

WEB COPY

A.Nagarathinam

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the 3rd Respondent in Na.Ka.No.5714/A4/2018 dated 19.06.2018 and to Quash the same and consequently directing the Respondents to allow the Petitioner to continue to work in the post of BT Assistant (English) in Rosmiyapuram Government High School, Tirunelveli District, with all consequential and other attendant benefits.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.A.Thiyagarajan
Government Advocate

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2.The petitioner is aggrieved against the redeployment order passed by the third respondent herein. When the writ petition came to be entertained on 04.07.2018, the impugned order of redeployment came to be stayed by this Court. Thereafter, three years have lapsed and the respondents have neither filed their counter affidavit nor sought for vacating the interim order.

3.It is stated by the learned counsel for the petitioner that the Teachers, who were sought to be redeployed, are continued in the same petitioner school till date. It is also the submission that



pending the writ petition, the students strength in the school staff have changed considerably and if re-assessment of the Teachers-Students ratio is made, the question of redeployment of Teacher may not arise.

4. In these circumstances, this Court is of the view that the re-assessment of the student-staff strength could be made and thereafter, the respondents can come to the conclusion as to whether there are any surplus teachers in the school and whether redeployment is required or not.

5. In this background, the petitioner is directed to give a representation to the third respondent, in the light of the observations made in this order, within a period of two weeks from the date of receipt of a copy of this order and on such representation being made, the third respondent shall pass appropriate orders, as expeditiously as possible, in any event, within a period of three months from the date of receipt of such representation. Till the disposal of the representation, the respondent shall maintain status quo in connection with the petitioner's service.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.



2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

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

+1 CC to M/s.SPL GP (SR-2852[F] dated 02/02/2021)

W.P. (MD) No.14284 of 2018
01.02.2021

SGS (CO)
KB(19.02.2021) 3P 5C