



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.12.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No. 23298 of 2021

and

WMP(MD) No. 19734 of 2021

WEB COPY

P. Kavitha

... Petitioner

Vs.

1. The Commissioner of School Education,
EVK Sampath Maaligai, DPI Campus,
College Road, Nugampakkam,
Chennai.

2. The Joint Director of School Education (Personnel),
EVK Sampath Maaligai, DPI Campus,
College Road, Nugampakkam,
Chennai.

3. The Chief Educational Officer,
O/o. The Chief Educational Officer,
Madurai,
Madurai District.

... Respondents

Prayer : Petition filed under Article 226 of Constitution of India for the issuance of a writ of mandamus directing the respondents 1 to 3 herein to consider the petitioner's representation dated 30.11.2021 submitted for transferring the petitioner to the post of BT Assistant in anyone of the government schools situated either within Madurai district or within the nearby districts considering the petitioner's predicament situation as mentioned in the said representation within the time frame as fixed by this Court.

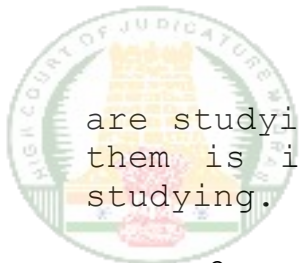
For Petitioner : Mr. B. Prahalad Ravi

For Respondents : Mr. N. Ga. Nataraj

Government Advocate
for R1 to R3

ORDER

The petitioner is presently working as Block Resource Teacher Educator and Block Resource Centre at Chellampatti at Madurai District. She had been appointed through Tamil Nadu Teachers Recruitment Board in the year 2005-2006. Now she has been transferred to Thirukarukkavur at Thanjavur District. The petitioner has raised objections claiming that two of her children



are studying in X and XII Standards. Therefore, her presence with them is imperative at the crucial standards in which they are studying.

2. However a direction is given to the petitioner to first join the particular post at Thirukarukkavur and later she can give a representation giving the reasons objecting to the transfer. An obligation is placed on the second respondent to examine the said representation and pass necessary orders within a period of three weeks from the date of receipt of the said representation. If any further clarifications are required, the second respondent may also enquire with the petitioner not necessarily in person but in writing and after clarifying himself/herself may pass necessary orders.

3. With the said observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

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.

To

1. The Commissioner of School Education,
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EVK Sampath Maaligai, DPI Campus,
College Road, Nugampakkam,
Chennai.
2. The Joint Director of School Education (Personnel),
EVK Sampath Maaligai, DPI Campus,
College Road, Nugampakkam,
Chennai.



3. The Chief Educational Officer,
O/o. The Chief Educational Officer,
Madurai,
Madurai District.

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-40542[F] dated 30/12/2021)
+1 CC to M/s.SPL.GP (SR-40534[F] dated 30/12/2021)

W.P. (MD) .No. 23298 of 2021
and
WMP (MD) No. 19734 of 2021
29.12.2021

SJ(CO)
SB(06.01.2022) 3P 6C