



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No. 24346 of 2019

and W.M.P. (MD) Nos.20966 and 20967 of 2019

and W.M.P. (MD) No.689 of 2020

WEB COPY

M.Karthikeyan

... Petitioner

Vs.

- 1.State of Tamil Nadu,
Rep. By its Principal Secretary,
Department of School Education,
Fort. St. George, Chennai - 600 009.
- 2.The Director of School Education,
O/o. The Director of School Education,
DPI Campus, Chennai - 600 006.
- 3.The Joint Director of School Education
(Higher Secondary)
O/o. The Joint Director of School Education
(Higher Secondary),
DPI Campus, Chennai - 600 006.
- 4.The Chief Educational Officer,
O/o. The Chief Educational Officer,
Pudukkottai,
Pudukkottai District.
- 5.The District Educational Officer,
O/o. The District Educational Officer,
Aranthangi, Pudukkottai District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in G.O.(1D). No.218, School Education Department, dated 20.06.2019 issued by the 1st respondent and quash the clause 9(i) as illegal, consequently directing the respondents to permit the petitioner to participate in the general transfer counseling for the academic year 2019-2020 to be held on 19.11.2019 in accordance with the G.O.(1D).No.256, School Education Department, dated 19.04.2017 & G.O.(1D).No.403, School Education Department, dated 29.05.2018.

For Petitioner

: Mr.T.Balakumaran

For Respondents

: Mr.S.Shanmugavel,

Standing Counsel for State.

**O R D E R**

This Writ Petition has been filed challenging the impugned order in G.O.(1D).No.218, School Education Department, dated 20.06.2019, issued by the first respondent and quash the clause 9 (i) as illegal and consequently directing the respondents to permit the petitioner to participate in the general transfer counseling for the academic year 2019-2020 to be held on 19.11.2019 in accordance with the G.O.(1D).No.256, School Education Department, dated 19.04.2017 & G.O.(1D).No.403, School Education Department, dated 29.05.2018.

2. The learned counsel appearing for the petitioner would submit that pursuant to the interim order passed by this Court on 18.11.2019, the petitioner participated in the general transfer counseling and transfer order has been issued to the petitioner. He further submits that since the relief as sought for by the petitioner can be granted, nothing survives in this Writ Petition. However, the grievance of the petitioner is that due to the pendency of the Writ Petition, the respondents have not relieved the petitioner from the present Station.

3. The fifth respondent has filed a counter affidavit, wherein it is stated that since the writ petition is pending, the petitioner is not relieved from the Panchayat Union Middle School, Kammangadu, and as on date, the petitioner is still working in the said school.

4. Considering the facts and circumstances of the case, this Court is of the view that in view of the transfer order issued by the respondents, nothing survives for further adjudication in this Writ Petition. Therefore, this Writ Petition is dismissed. In view of the dismissal of this Writ Petition, there is no impediment for the respondents to relieve the petitioner from the present station. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// 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

- 1.The Principal Secretary,
State of Tamil Nadu,
Department of School Education,
Fort, St. George, Chennai - 600 009.
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O/o. The Director of School Education,
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Pudukkottai,
Pudukkottai District.
- 5.The District Educational Officer,
O/o. The District Educational Officer,
Aranthangi, Pudukkottai District.

+1 CC to M/s.SPL.GP (SR-30857[F] dated 01/10/2021)

+1 CC to M/s.T.BALAKUMARAN, Advocate (SR-30814[F] dated
30/09/2021)

W.P. (MD) No. 24346 of 2019
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