



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI
W.P (MD)Nos.14576 of 2017 and 1888 of 2021
and WMP (MD)No.1632 of 2021

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W.P. (MD)No.14576 of 2017

N.Thiruchendil

... Petitioner

Vs.

- 1.The Chief Educational Officer,
Ramanathapuram, Ramanathapuram District.
- 2.The District Educational Officer,
Ramanathapuram, Ramanathapuram District.
- 3.The Additional Assistant Elementary Educational Officer,
Ramanathapuram, Ramanathapuram District.
- 4.D D Vinayagar Primary School,
Velipatinam Post-623 503,
Ramanathapuram District,
represented by its Secretary.
- 5.N.G.Ram Shankar,
Secretary,
D D Vinayagar Primary School,
Velipattinam Post-623 503,
Ramanathapuram District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus to direct the respondents 1, 2 and 3 to consider the petitioner's representations, dated 23.05.2017 and 21.06.2017 seeking to redeploy her from the fourth respondent school and post her in any other school where posts are vacant and pass necessary orders on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader
for R.1 to R.3
: Mr.N.S.Karthikeyan
for R.4
: No Appearance for R.5



W.P. (MD) No.1888 of 2021

N.Thiruchendil

... Petitioner

WEB COPY

Vs.

1.The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.

2.The District Educational Officer,
Ramanathapuram,
Ramanathapuram District.

3.The Block Educational Officer,
Ramanathapuram,
Ramanathapuram District.

4.D D Vinayagar Primary School,
Velipatinam Post-623 503,
Ramanathapuram District,
represented by its Secretary.

5.N.G.Ram Shankar,
Secretary,
D D Vinayagar Primary School,
Velipattinam Post-623 503,
Ramanathapuram District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorari to call for the records relating the impugned proceedings passed by the fourth respondent in Na.Ka.No.135/2020, dated 28.12.2020 and quash the same as illegal.

For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader
for R.1 to R.3
: Mr.N.S.Karthikeyan
for R.4
: R.5- Tapal returned
* * * * *



COMMON ORDER

The Writ Petition in W.P.(MD)No.14576 of 2017 is filed seeking for issuance of a writ of Mandamus to direct the respondents 1, 2 and 3 to consider the petitioner's representations, dated 23.05.2017 and 21.06.2017 seeking to redeploy her from the fourth respondent school and post her in any other school where posts are vacant and pass necessary orders on merits and in accordance with law within the period that may be stipulated by this Court.

2. W.P.(MD)No.1888 of 2021 is filed seeking for issuance of a writ of Certiorari to call for the records relating the impugned proceedings passed by the fourth respondent in Na.Ka.No.135/2020, dated 28.12.2020 and quash the same as illegal.

3. The case of the petitioner is that the petitioner was appointed as a Secondary Grade Teacher in the year 2001. After completion of 10 years, on 30.08.2010, the first respondent conferred the Special Grade to the petitioner to the effect from 25.06.2010, however, the said order was not implemented. Hence, the petitioner made a representation on 09.02.2016 to furnish a copy of the service register and repeatedly the petitioner made a representation to implement the order dated 30.08.2010 and till date, either the School Management or the Educational Authorities did not pass any order and hence, he made enquiry under Right to Information Act and filed writ petition. Aggrieved by the said action of the petitioner, the respondents 2 and 3 - school authorities issued a memo dated 10.05.2017, as if the petitioner made disturbance to the management of the School and hence, they decided to stop the salary and other benefits to the petitioner.

3. Learned Counsel appearing for the petitioner would submit that there was a continuous dispute between the petitioner and the school management and hence, the petitioner made a representation to the first respondent for redeployment her from the fourth respondent school and post her in any other school and since no order was passed, the writ petitions are filed by the petitioner.

4. The learned Counsel appearing for the school Management submitted that the respondents have no serious objection for considering the petitioner's representation for redeployment.

5. In view of the above, without going into the merits of the case, the first respondent is directed to consider the representations of the petitioner dated 23.05.2017 and 21.06.2017 seeking redeployment and dispose of the same as expeditiously as possible in accordance with law.



6. Both the Writ Petitions are disposed of with the above directions. Consequently, the connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

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 Chief Educational Officer,
Ramanathapuram, Ramanathapuram District.
- 2.The District Educational Officer,
Ramanathapuram, Ramanathapuram District.
- 3.The Additional Assistant Elementary
Educational Officer,
Ramanathapuram, Ramanathapuram District.
- 4.The Block Educational Officer,
Ramanathapuram, Ramanathapuram District.

+2 CC to M/s.M.E.ILANGO, Advocate (SR-11450 & 11451[F] dated 16/03/2021)

+1 CC to M/s.SPL GP (SR-11605 & 11611[F] dated 16/03/2021)

+1 CC to M/s.N.S.KARTHIKEYAN (SR-11941[F] dated 17/03/2021)

W.P(MD)Nos.14576 of 2017 and 1888 of 2021
15.03.2021

ES (CO)

TR(07.05.2021) 4P 9C