



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2022

CORAM :

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NOS.1334, 1286 AND 1722 OF 2022

AND

W.M.P.NOS.1449,1451, 1453, 1391, 1394, 1398,
1869, 1872 AND 1875 OF 2022

W.P.No.1334 of 2022

1. M.Chandrasekaran
2. M.Srikanth
3. L.M.Sekaran
4. M.Muthukumarasamy
5. C.Mathiyalagan
6. S.Senthil Murugan
7. S.Suresh
8. A.Murugan
9. M.Varadan
10. C.Mani
11. T.Ganesan
12. V.Senthilkumar
13. M.Sakthivel
14. S.Govindarasu
15. J.Justin
16. A.Amutha
17. R.Jeyabharathi
18. K.Bernadsha
19. J.Joyselvarani
20. P.Senthilvelan
21. A.Thavachelvam
22. G.Kumar
23. M.Yuvaraja
24. R.Vijayalakshmi
25. C.Murugan
26. A.Sivalingan
27. K.Jaganathan
28. A.Parameshvaran
29. L.Tamizhkuyil
30. M.Kavitha
31. A.Padmavathi
32. K.S.Anandaraja
33. G.Kavitha
34. S.Sugumari



35. K.K.Sumathi
36. T.Venkatachalam
37. P.Shunmugam
38. C.S.Muthu
39. S.Jayakumar
40. S.Sri Sayeepriya
41. P.Merryline Gnanamirtham
42. G.Jaya
43. P.Velmurugan
44. M.Bhuvaneshwari
45. P.Manikandan
46. N.Shanmuga Sundaram

... Petitioners

.Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Fort St.George,
Chennai - 600 009.
2. The Commissioner of School Education,
The Directorate of School Education,
College Road,
Chennai - 600 006.
3. The Joint Director of School Education,
(Higher Secondary Education),
The Directorate of School Education,
College Road,
Chennai - 600 006.
4. The Chief Educational Officer,
Erode District, Erode.
5. The Chief Educational Officer,
Salem District,
Salem.
6. The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.
7. The Chief Educational Officer,
Ariyalur District,
Ariyalur.
8. The Chief Educational Officer,
Nagapattinam Distict,
Nagapattinam.



9. The Chief Educational Officer,
The Nilgiris,
Nilgiris.

10. The Chief Educational Officer,
Karur District, Karur.

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

12. The Chief Educational Officer,
Mayiladuthurai District,
Mayiladuthurai.

13. The Chief Educational Officer,
Tirupattur District,
Tirupattur.

14. The Chief Educational Officer,
Thanjavur District,
Thanjavur.

15. The Chief Educational Officer,
Thiruvarur District,
Thiruvarur.

16. The Chief Educational Officer,
Perambalur District,
Perambalur.

17. The Chief Educational Officer,
Kallakurichi District,
Kallakurichi.

18. The Chief Educational Officer,
Pudukottai District,
Pudukottai.

19. The Chief Educational Officer,
Kanniyakumari District,
Kanniyakumari.

20. The Chief Educational Officer,
Tenkasi District,
Tenkasi.

21. The Chief Educational Officer,
Tiruvallur District,
Tiruvallur.



22. The Chief Educational Officer,
Tuticorin District,
Tuticorin.
23. The Headmaster,
Government Boys Higher Secondary School,
Attur, Salem District - 636 102.
24. The Headmaster,
Mangalam Kizhar Government Boys
Higher Secondary School,
Guruvarajapettai,
Ranipet District - 631 101.
25. The Headmaster,
Government Higher Secondary School,
Nerunjipettai,
Erode District - 638 311.
26. The Headmaster,
Government Higher Secondary School,
Kanagamutlu,
Krishnagiri District - 635 001.
27. The Headmaster,
S.K.Government Higher Secondary School,
Thethakudi South,
Nagapattinam District - 614 809.
28. The Headmaster,
Government Higher Secondary School,
Erumad,
The Nilgiris - 643 239.
29. The Headmaster,
Government Higher Secondary School,
Ovalley,
The Nilgiris - 643 001.
30. The Headmaster,
Government Higher Secondary School,
Panaimadal,
Salem District - 636 117.
31. The Headmaster,
Government Higher Secondary School,
Akkaraipettai,
Nagapattinam District - 611 106.



32. The Headmaster,
Government Higher Secondary School,
Berikai,
Krishnagiri District - 635 105.
33. The Headmaster,
Government Higher Secondary School,
Guruvadi,
Ariyalur District - 621 715.
34. The Headmaster,
Government Girls Higher Secondary School,
Kolathur,
Salem District - 636 303.
35. The Headmaster,
Government Higher Secondary School,
Urigam, Anchetty Taluk,
Krishnagiri District - 635 102.
36. The Headmaster,
Government Higher Secondary School,
Alapatti,
Krishnagiri District - 635 122.
37. The Headmaster,
Government Higher Secondary School,
Kadavur, Karur - 621 301.
38. The Headmaster,
Government Higher Secondary School,
T.M.Kottai,
Ramanathapuram District - 623 115.
39. The Headmaster,
Government Boys Higher Secondary School,
Sayalgudi,
Ramanathapuram District - 623 115.
40. The Headmaster,
Government Higher Secondary School,
Srikandapuram, Nakkambadi Post,
Kuthalam Taluk,
Mayiladuthurai District - 612 203.
41. The Headmaster,
Government Higher Secondary School,
Anandur,
Ramanathapuram District - 623 401.



42. The Headmaster,
Government Higher Secondary School,
Vaniambadi,
Tirupattur District - 635 601.
43. The Headmaster,
Government Municipal Modern Higher
Secondary School,
Vaniambadi,
Tirupattur District - 635 751.
44. The Headmaster,
Government Higher Secondary School,
Anthakudi, Keelvelur Taluk,
Nagapattinam District - 611 104.
45. The Headmaster,
Government Boys Higher Secondary School,
Panthanallur,
Thanjavur District - 609 807.
46. The Headmaster,
Government Higher Secondary School,
Thirumangalam,
Mayiladuthurai District - 609 811.
47. The Headmaster,
Government Higher Secondary School,
Idumbavanam,
Thiruvarur District - 614 703.
48. The Headmaster,
Government Higher Secondary School,
Poolambadi,
Perambalur District.
49. The Headmaster,
Government Model Higher Secondary School,
Thuneri,
The Nilgiris - 643 002.
50. The Headmaster,
Government Higher Secondary School,
Elada,
The Nilgiris - 643 217.
51. The Headmaster,
Government Higher Secondary School,
Sayanapuram,
Ranipet District - 632 401.



52. The Headmaster,
Government Girls Higher Secondary School,
Keeranur,
Pudukkottai District - 622 502.

WEB COPY

53. The Headmaster,
Government Girls Higher Secondary School,
Mannargudi,
Thiruvarur District - 614 001.

54. The Headmaster,
Government Higher Secondary School,
Thovalai,
Kannayakumari District - 629 302.

55. The Headmaster,
Government Girls Higher Secondary School,
Koradacherry,
Thiruvarur District - 613 703.

56. The Headmaster,
Government Girls Higher Secondary School,
Tenkasi,
Tenkasi District - 627 811.

57. The Headmaster,
Government Higher Secondary School,
Kavarapettai,
Thiruvallur District - 601 206.

58. The Headmaster,
Government Higher Secondary School,
Mallapalli Post,
Thirupathur District - 635 854.

59. The Headmaster,
Government Higher Secondary School,
Ammaiyappan,
Thiruvarur District - 614 713.

60. The Headmaster,
Government Higher Secondary School,
Vembar,
Tutikorin District - 628 906.

61. The Headmaster,
Government Higher Secondary School,
Thiruthuraipoondi,
Thiruvarur District - 614 713.



62. The Headmaster,
Government Girls Higher Secondary School,
Mannargudi,
Thiruvarur District - 614 001.

63. The Headmaster,
Government Girls Higher Secondary School,
Sayalgudi,
Ramanathapuram District - 623 120.

64. The Headmaster,
Government Girls Higher Secondary School,
Manamelkudi,
Pudukkottai District - 614 620.

65. The Headmaster,
Government Higher Secondary School,
Sathapadi,
Salem District - 636 121.

66. The Headmaster,
Government Girls Higher Secondary School,
Kottur,
Thiruvarur District - 614 708.

67. The Headmaster,
Government Higher Secondary School,
Vilakkudi,
Thiruvarur District - 614 715.

68. The Headmaster,
Government Higher Secondary School,
Nagudi,
Pudukkottai District - 614 616.

... Respondents

PRAYER:-

The Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd respondent to instruct the respective Headmasters/respondents 23 to 68 herein and the respective Chief Educational Officers/respondents 4 to 22 herein to accept the application of the petitioners who are working as PG Assistants and forward the applications of the petitioners to the 2nd respondent for allowing the petitioners to participate in the Transfer Counselling for PG Assistants to commence on 10.02.2022 by the 2nd respondent as per General Transfer Counselling policy for teachers working in Government/Panchayat Union/Municipal Primary/Middle Schools and Government/Municipal High/Higher



Secondary Schools framed in G.O.(Ms).No.176, School Education [SE5(1)] Department dated 17.12.2021 notwithstanding the fact that the petitioners have not completed one year in the present postings.

WEB COPY

For Petitioners : Mrs.Nalini Chidambaram,
Senior Counsel
For Mrs.C.Uma

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by
Mr.V.Nanmaran
Additional Government Pleader

W.P.NO.1286 OF 2022

1. R.Mayilmurugan
2. T.Nirmal Rani
3. R.Sudhamathi
4. M.Muthulakshmi
5. C.Vijaykumar

... Petitioners

.Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of School Education,
The Directorate of School Education,
College Road,
Chennai - 600 006.
3. The Joint Director of School Education,
(Higher Secondary Education),
The Directorate of School Education,
College Road,
Chennai - 600 006.
4. The Chief Educational Officer,
Salem District,
Salem.
5. The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram.



6. The Chief Educational Officer,
Thiruvavur District,
Thiruvavur.

7. The Chief Educational Officer,
Sivagangai District,
Sivagangai.

8. The Headmaster,
Government Boys Higher Secondary School,
Petthanaikanpalayam,
Salem - 636 109.

9. The Headmaster,
Government Higher Secondary School,
Melakidaram,
Ramanathapuram District - 623 528.

10. The Headmaster,
Government Girls Higher Secondary School,
Koothanallur,
Thiruvavur District - 614 101.

11. The Headmaster,
Government Girls Higher Secondary School,
Kottur, Thiruvavur District - 614 708.

12. The Headmaster,
Government Higher Secondary School,
Eriyur, Sivagangai District - 630 566.

... Respondents

PRAYER:-

The Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to instruct the respective Headmasters/respondents 8 to 12 herein and the respective Chief Educational Officers/respondents 4 to 7 herein to accept the application of the petitioners who are working as PG Assistants and forward the application of the petitioners to the 2nd respondent for allowing the petitioners to participate in the Transfer Counselling for PG Assistants to commence on 10.02.2022 by the 2nd respondent as per General Transfer Counselling policy for teachers working in Government/Panchayat Union/Municipal Primary/Middle Schools and Government/Municipal High/Higher Secondary Schools framed in G.O.(Ms).No.176, School Education [SE5(1)] Department dated 17.12.2021 notwithstanding the fact that the petitioners have not completed one year in the present postings.



WEB COPY

For Petitioners : Mrs.Nalini Chidambaram
Senior Counsel
For Mrs.C.Uma

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by
Mr.V.Nanmaran
Additional Government Pleader

W.P.NO.1722 OF 2022

1. K.Murugaiyan

2. S.Jamuna Rani

... Petitioners

.Vs.

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

2. The Commissioner of School Education,
The Directorate of School Education,
College Road,
Chennai - 600 006.

3. The Joint Director of School Education,
(Higher Secondary Education),
The Directorate of School Education,
College Road,
Chennai - 600 006.

4. The Chief Educational Officer,
Kancheepuram District,
Kancheepuram.

5. The Chief Educational Officer,
Thiruvallur District,
Thiruvallur.

... Respondents

PRAYER:-

The Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to instruct the respective Chief



Educational Officers/respondents 4 & 5 herein to accept the application of the petitioners who are working as Headmasters/Headmistress and forward the applications of the petitioners to the 2nd respondent for allowing the petitioners to participate in the Transfer Counselling for PG Assistants to commence on 02.02.2022 by the 2nd respondent as per General Transfer Counselling policy for teachers working in Government/Panchayat Union/Municipal Primary/Middle Schools and Government/Municipal High/Higher Secondary Schools framed in G.O.(Ms).No.176, School Education [SE5(1)] Department dated 17.12.2021 notwithstanding the fact that the petitioners have not completed one year in the present postings.

For Petitioners : Mrs.Nalini Chidambaram
Senior Counsel
For Mrs.C.Uma

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by
Mr.V.Nanmaran
Additional Government Pleader

C O M M O N O R D E R

These writ petitions have been filed for issuance of Writ of Mandamus, directing the respondents to accept the application of the petitioners, and allow the petitioners to participate in the Transfer counselling.

2. The case of the petitioners in brief:

The petitioners were promoted as P.G.Assistant and Headmaster/Headmistress respectively during the month of February 2021 and working in various Government Schools across the State of Tamil Nadu. The petitioners have not been allowed to participate in the General Transfer Counselling to be held on 10.02.2022 & 02.02.2022 respectively. In the Government order in G.O.Ms.No.176 School Education Department dated 17.12.2021, there is no specific norms prohibiting the promoted and transferred teachers to participate the general counselling. Hence, this writ petition.

3. The learned Additional Advocate General, appearing for the respondents submitted that, in respect of minimum service of one year in the existing station for General Transfer



Counselling, the Government has amended the G.O.Ms.No.176, School Education Department dated 17.12.2021, vide G.O.Ms.No.15 School Education Department dated 10.02.2022, wherein, it is stated as follows:

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'Amendment

In the said Government Order in paragraph 7 under the heading "(1) GENERAL CONDITIONS'" after the sub-paragraph (c), the following sub-paragraph shall be added namely"-

"(d) All category of Headmasters and teachers should have minimum of one year service in the existing station on the date of notification, which is mandatory to apply for General Transfer Counselling.'"

He has also placed the above said Government Order. Further, if the petitioners are aggrieved, they may challenge the above order.

4. In view of the above, these writ petitions are dismissed as infructuous. Consequently, the connected writ miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ssi/dua

To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of School Education,
The Directorate of School Education,
College Road,
Chennai - 600 006.



WEB COPY

3. The Joint Director of School Education,
(Higher Secondary Education),
The Directorate of School Education,
College Road,
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4. The Chief Educational Officer,
Erode District,
Erode.
5. The Chief Educational Officer,
Salem District,
Salem.
6. The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.
7. The Chief Educational Officer,
Ariyalur District,
Ariyalur.
8. The Chief Educational Officer,
Nagapattinam District,
Nagapattinam.
9. The Chief Educational Officer,
The Nilgiris,
Nilgiris.
10. The Chief Educational Officer,
Karur District,
Karur.
11. The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram.
12. The Chief Educational Officer,
Mayiladuthurai District,
Mayiladuthurai.
13. The Chief Educational Officer,
Tirupattur District,
Tirupattur.
14. The Chief Educational Officer,
Thanjavur District,
Thanjavur.



15. The Chief Educational Officer,
Thiruvavarur District,
Thiruvavarur.
16. The Chief Educational Officer,
Perambalur District,
Perambalur.
17. The Chief Educational Officer,
Kallakurichi District,
Kallakurichi.
18. The Chief Educational Officer,
Pudukottai District,
Pudukottai.
19. The Chief Educational Officer,
Kanniyakumari District,
Kanniyakumari.
20. The Chief Educational Officer,
Tenkasi District, Tenkasi.
21. The Chief Educational Officer,
Tiruvallur District,
Tiruvallur.
22. The Chief Educational Officer,
Tuticorin District,
Tuticorin.
23. The Headmaster,
Government Boys Higher Secondary School,
Attur, Salem District - 636 102.
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Mangalam Kizhar Government Boys
Higher Secondary School,
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Ranipet District - 631 101.
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Government Higher Secondary School,
Nerunjipettai,
Erode District - 638 311.
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Government Higher Secondary School,
Kanagamutlu,
Krishnagiri District - 635 001.



27. The Headmaster,
S.K.Government Higher Secondary School,
Thethakudi South,
Nagapattinam District - 614 809.

WEB COPY

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Government Higher Secondary School,
Erumad,
The Nilgiris - 643 239.

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Government Higher Secondary School,
Ovalley,
The Nilgiris - 643 001.

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Government Higher Secondary School,
Panaimadal,
Salem District - 636 117.

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Government Higher Secondary School,
Akkaraipettai,
Nagapattinam District - 611 106.

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Berikai,
Krishnagiri District - 635 105.

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Government Higher Secondary School,
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Ariyalur District - 621 715.

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Government Girls Higher Secondary School,
Kolathur,
Salem District - 636 303.

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Government Higher Secondary School,
Urigam, Anchetty Taluk,
Krishnagiri District - 635 102.

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Government Higher Secondary School,
Alapatti,
Krishnagiri District - 635 122.



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Thanjavur District - 609 807.
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Government Higher Secondary School,
Thirumangalam,
Mayiladuthurai District - 609 811.



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Government Higher Secondary School,
Idumbavanam,
Thiruvarur District - 614 703.

WEB COPY

48. The Headmaster,
Government Higher Secondary School,
Poolambadi,
Perambalur District.

49. The Headmaster,
Government Model Higher Secondary School,
Thunerri,
The Nilgiris - 643 002.

50. The Headmaster,
Government Higher Secondary School,
Elada,
The Nilgiris - 643 217.

51. The Headmaster,
Government Higher Secondary School,
Sayanapuram,
Ranipet District - 632 401.

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Government Girls Higher Secondary School,
Keeranur,
Pudukkottai District - 622 502.

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Mannargudi,
Thiruvarur District - 614 001.

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Thovalai,
Kannayakumari District - 629 302.

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Government Girls Higher Secondary School,
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Thiruvarur District - 613 703.

56. The Headmaster,
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Tenkasi,
Tenkasi District - 627 811.



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Kavarapettai,
Thiruvallur District - 601 206.

WEB COPY

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Pudukkottai District - 614 620.

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Sathapadi,
Salem District - 636 121.

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Thiruvarur District - 614 708.



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Government Higher Secondary School,
Vilakkudi,
Thiruvarur District - 614 715.

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Government Higher Secondary School,
Nagudi,
Pudukkottai District - 614 616.

69. The Chief Educational Officer,
Sivagangai District,
Sivagangai.

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Petthanaikanpalayam,
Salem - 636 109.

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Government Higher Secondary School,
Melakidaram,
Ramanathapuram District - 623 528.

72. The Headmaster,
Government Girls Higher Secondary School,
Koothanallur,
Thiruvarur District - 614 101.

73. The Headmaster,
Government Higher Secondary School,
Eriyur,
Sivagangai District - 630 566.

74. The Chief Educational Officer,
Kancheepuram District,
Kancheepuram.

+1cc to Mrs.C.Uma, Advocate, S.R.No.12219
+1cc to the Government Pleader, S.R.No.13083

W.P.NOS.1334, 1286 AND 1722 OF 2022

NK(CO)
PBS/23/03/2022