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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2022

CORAM

THE HON'BLE MR JUSTICE D. KRISHNAKUMAR

W.P.No.2575 of 2022 and
WMP No.2703, 2707 of 2022

U.N.Mageswari

... Petitioner

Vs.

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

2. The Commissioner
School Education Department
DPI Campus
Chennai-600 006.

3. The Joint Director (Personnel)
School Education Department
DPI Campus
Chennai-600 006.

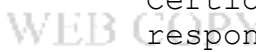
4. The Chief Educational Officer
Cuddalore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent in G.O Ms. No.176 dated 17.12.2021 and quash the same so far as the clause 3 of the said Government order is concerned with respect to the petitioner and consequently, direct the respondents to permit the petitioner to take part in the transfer counselling to be held on 11.02.2022 or any other subsequent date without insisting upon the completion of minimum period of one year in the present station.

For Petitioner : Mr.Dakshayani Reddy

For Respondents : Mr.V.Nanmaran, Addl.Govt. Pleader



ORDER

This writ petition has been filed to issue a Writ of Certiorari Mandamus, calling for the records of the first respondent in G.O Ms. No.176 dated 17.12.2021 and quash the same so far as the clause 3 of the said Government order is concerned with respect to the petitioner and consequently, direct the respondents to permit the petitioner to take part in the transfer counselling to be held on 11.02.2022 or any other subsequent date without insisting upon the completion of minimum period of one year in the present station.

2. The case of the petitioner in breif.

The petitioner was appointed as Computer Instructor, Grade-I vide notification issued by the Teachers Recruitment Board and she joined the service on 04.01.2021. The Government has issued Government Order in G.O.Ms.No.176 dated 17.12.2021, releasing norms for the purposes of taking part in the General Transfer Counselling. However, in the above Government Order, there is no specific provision that the teacher ought to have completed one year in the present station. Hence the petitioner may be permitted to take part in the General Transfer counselling to be held on 11.02.2022.

3. The learned Additional Government Pleader, 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.

' 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.



4. Inview of the above, this writ petition is dismissed.
Consequently, connected writ miscellaneous petitions are closed.
No costs.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Mst

To

- 1 The Principal Secretary
School Education Department
Fort St. George
Chennai-600 006.
2. The Commissioner
School Education Department
DPI Campus
Chennai-600 006.
3. The Joint Director (Personnel)
School Education Department
DPI Campus
Chennai-600 006.
4. The Chief Educational Officer
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+1cc to the Government Pleader, S.R.No.9559

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PCH(CO)
CT(03/03/2022)