



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2022

CORAM

THE HON'BLE MR JUSTICE D. KRISHNAKUMAR

W.P.No.2793 of 2022
and
W.M.P No. 2948 of 2022

V.Abinaya w/o C.Sathiyavel ... Petitioner

Vs.

1. The Commissioner of School Education and
Department, o/o the School and Education Department,
Chennai 600 006.

2. The Chief Educational Officer,
O/O Chief Educational Officer,
Thiruvannamalai District.

3. The District Educational Officer,
Cheyyaru District Educational Officer.
Tiruvannamalai District.

4. The Block Educational Officer,
Vandavasi Taluk,
Tiruvannamalai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to direct the second respondent to call the petitioner for first counseling dated 16.02.2022, as per the proceeding dated 07.02.2022 in Na.Ka.No.009736/E1/2021.

For Petitioner : Mr.S.Kumaradevan

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

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing directing the first respondent to direct the second respondent to call the petitioner for first counseling dated 16.02.2022, as per the proceeding dated 07.02.2022 in Na.Ka.No.009736/E1/2021.

2. The case of the petitioner in brief:

The petitioner was appointed as Secondary Grade Teacher on 26.09.2014 in Elementary School at Padhur Village,



Vandavasi Blok, Tiruvannamalai Ditriect. As per deployment order dated 18.06.2019, she was transferred and joined in Middle School, Kovalai Village, Vandhavasi Block and till now, she is working in the same place. Mrs. Latha was deployed in the vacancy post of Secondary Grade Teacher in the Middle School at Kovalai, Vandavasi Block in the place of Mrs.J.Sartharni and T.Devi, who is already working as Secondary Grade Teacher in Kovalai, Vandavasi Block. The above said J.Sartharni and T.Devi were deployed to UKG and LKG teacher for the Middle School at Surivariyanallur and Erumaipatty at Anakkavur Block. Now the petitioner came to now that the second respondent issued a letter dated 07.02.2022 to the above said J.Sartharni and T.Devi for counselling on 16.02.2022 for the reason they were appointed as deployment and hence they got priority in the counselling. But, since the petitioner and Mrs.Latha were deployed in the place of Middle School at Kovalai, Vandavasi Block, they are also fully eligible to give priority to participate the first counselling to be conducted on 16.02.2022 and more over, the petitioner is the senior person that the above Mrs. J.Sartharni and T.Devi

2.1.The regular counselling for the post of Secondary Grade Teacher will be conducted on 25.02.2022 and she is in the 6th place, If the petitioner participate in the first counselling dated 16.02.2022 for deployment, she will be eligible in the first place. But the second respondent, denying the right of the petitioner to participate in the first counselling on 16.02.2022, has issued the letter dated 07.02.2022. Hence this writ petition.

3. The learned counsel appearing for the petitioner fairly submitted that, so far, the petitioner has not made any representation to the respondents to permit her to participate the counselling dated 16.02.2012 and without making any representation, this writ petition has been filed. He has also agreed that the petitioner will make representation on or before 12.02.2022 to the concerned Chief Educational Officer.

4. The learned Additional Government Pleader, appearing for the respondents submitted that, if the petitioner made representation, it will be considered by the authorities concerned, and appropriate orders will be passed, in accordance with law.

5. In view of the above submissions and also taking into account the urgency of the matter, it is ordered as follows.

i] The petitioner is directed to make representation to the Chief Educational Officer, Tiruvannamalai District, on or before 12.02.2022.

ii] On receipt of such representation being made by the petitioner, the Chief Educational officer, Tiruvannamalai District is directed to consider the representation of the



petitioner, and pass orders on its own merits, in accordance with law, on or before 15.02.2022.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

mst

To

1. The Commissioner of School Education and Department,
o/o the School and Education Department,
Chennai 600 006.
2. The Chief Educational Officer,
O/O Chief Educational Officer, Tiruvannamalai District.
3. The District Educational Officer,
Cheyyaru District Educational Officer.
Tiruvannamalai District.
4. The Block Educational Officer,
Vandavasi Taluk, Tiruvannamalai District.

+1cc to Mr.S.Kumaradevan, Advocate, S.R.No. 8814

W.P.No.2793 of 2022

NRL (CO)
GN (14/02/2022)