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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

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THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No. 3281 of 2022
and WMP.No. 3411 of 2022

P.Sangeetha

..Petitioner

Vs

1.The Director of Elementary Education,
DPI Campus, College Rod,
Chennai-600006.

2.The Chief Educational Officer,
Chief Educational Office,
Dharmapuri,
Dharmapuri District-636705.

3.The District Educational Officer,
District Educational Office,
Palacode,
Dharmapuri District - 636 808.

4.The Block Educational Officer,
Block Educational Office
Karimangalam Union,
Dharmapuri District-635111

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the application of the petitioner for transfer to Panchayat Union Middle School Kamaraj Nagar Kariamangalam Union Dharmapuri District and as well as based on the representation / objection made by the petitioner on 27.01.2022

For Petitioner : Mr. P.Ganesan

For Respondents : Mr. V.Nanmaran, AGP

O R D E R

The relief sought for in the writ petition is to direct the respondents to consider the application of the petitioner for



transfer to Panchayat Union Middle School Kamaraj Nager Kariamangalam Union Dharmapuri District and as well as based on the representation / objection made by the petitioner on 27.01.2022.

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2. The learned counsel for the petitioner has submitted that the petitioner was initially appointed as Secondary Grade Assistant on 21.10.2004 and posted at Panchayat Union Middle School, Pattakapatti, Kariyamangalam Union, Dharmapuri District and subsequently promoted to the post of B.T. Assistant (Maths) on 19.06.2014 and posted at Panchat Union Middle School, Maravady, Kariamangalam Union, Dharmapuri District and has been working in the same place till date.

3. The learned counsel for the petitioner has further submitted that the petitioner has made representation to the respondent on 22.02.2021 with request to consider his case under the spouse category so as to enable the petitioner to get transfer to her native place viz., Panchayt Union Middle School, Rameyanpatti, Kariyamangalam Union, Dharmapuri District where the petitioner's husband namely T.Dhanaraj working as Secondary Grade Assistant.

4. The learned counsel for the petitioner has further submitted that one S.Savitha who is junior to the petitioner as per seniority had appeared before the transfer counselling by producing false spouse certificate and got transfer by overlooking the petitioner's seniority. Hence the petitioner has made representation dated 27.01.2022 to the 4th respondent and subsequently to the 1st respondent on 07.02.2022. The said representations are still pending, hence the present writ petition.

5. Mr.V.Nanmaran, learned Additional Government Pleader takes notice for the respondents and submitted that the petitioner's representation will be considered by the 1st respondent and pass reasoned orders in accordance with law.

6. In view of the submissions made by the learned Additional Government Pleader and considering the limited scope of the prayer sought for by the petitioner this Court, without expressing any opinion on the merits of the case, directs the 1st respondent to consider the petitioner's representation/objections dated 01.02.2022 made by the petitioner and pass appropriate orders, in accordance with law after providing due opportunities to the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.



7. With the above directions, the writ petition stands disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Director of Elementary Education,
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Chennai-600006.
- 2.The Chief Educational Officer,
Chief Educational Office,
Dharmapuri,
Dharmapuri District-636705.
- 3.The District Educational Officer,
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Palacode, Dharmapuri District - 636 808.
- 4.The Block Educational Officer,
Block Educational Office
Karimangalam Union,
Dharmapuri District-635111

+1cc to Mr.P.Ganesan, Advocate, S.R.No.11038
+1cc to the Government Pleader, S.R.No.12044

W.P.No.3281 of 2022
and WMP.No. 3411 of 2022

GPL (CO)
SB(11/03/2022)