



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.3917 OF 2022

AND

WMP NO.4065, 4066 OF 2022

P.S.Arifa

... Petitioner

Vs.

1. The Secretary to Government of Tamilnadu
School Education Department, Fort St.George,
Chennai-9.
2. The Commissioner of School Education
DPI Campus, College Road,
Chennai-600 006.
3. The Joint Director of School Education
(Higher Secondary Education)
Directorate of School Education,
College Road, Chennai 600 006.
4. The Chief Educational Officer,
Thiruvallur, Thiruvallur District.
5. The Headmaster,
Government Girls Higher Secondary School,
Uthukottai, Thiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to instruct the 5th respondent, 3 and 4 respondents to accept the application of the petitioner, who working as PG Assistants and forward the applications of the petitioner to the second respondent for allowing the petitioner to participate in the Transfer counselling for PG Assistants, by the second respondent, as per General Transfer Counseling 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



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(1) Department dated 17.12.2021 notwithstanding the fact that the petitioners have not completed one year in the present postings.

For Petitioner : Mr.P.Murali
For Respondents : Mr.V.Nanmaran,
Addl.Govt. Pleader

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the respondents to accept the application of the petitioner, and allow the petitioner to participate in the Transfer counselling.

2. The case of the petitioner in brief:

The petitioner was promoted as P.G. Assistant on 23.02.2021 and working in Government Girls Hr.Sec. School, Uthukottai, Thiruvallur. The petitioner has not been allowed to participate in the General Transfer Counseling to be held on 10.02.2022. 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 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. Further, if the petitioner is aggrieved, he may challenge the above order.

4. In view of the above, this writ petition is dismissed. Consequently, connected writ miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

Mst

To

1. The Secretary to Government of Tamilnadu
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Chennai-9.
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+1cc to the Government Pleader, S.R.No.12363

W.P.No.3917 of 2022 and
WMP No.4065, 4066 of 2022

RR(CO)
RLP(10/03/2022)