



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.Nos.379, 380 and 381 of 2022

W.A.No.379 of 2022:

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,
Directorate of School Education,
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,
Thanjavur District, Thanjavur.
5. The Chief Educational Officer,
Tiruppur District, Tiruppur.
6. The Chief Educational Officer,
Thiruchirappalli District, Thiruchirappalli.
7. The Headmaster,
Government Higher Secondary School,
Madathukulam, Tiruppur District-642 113.
8. The Headmaster,
Government Higher Secondary School,
Alathur, Pattukottai Taluk,
Thanjavur District-614 901.



9. The Headmaster,
Government Higher Secondary School,
Inam Mathur,
Thiruchirappalli District-620 009.

10. The Headmaster,
Government Higher Secondary School,
Muthur, Tiruppur District-638 105.

...Appellants/Respondents/Respondents

Vs

1. N. Muthu
2. G. Mageswari
3. P. Murugan
4. A. Subramaniam

...Respondents/Petitioners/Petitioners

W.A.No.380 of 2022:

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,
Directorate of School Education,
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,
Salem District,
Salem.
5. The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram.
6. The Chief Educational Officer,
Thiruvarur District,
Thiruvarur.



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, Thiruvarur District-614 101.
 11. The Headmaster,
Government Girls Higher Secondary School,
Kottur, Thiruvarur District-614 708.
 12. The Headmaster,
Government Higher Secondary School,
Eriyur, Sivagangai District-630 566.
- ..Appellants/Respondents

Vs

1. R. Mayilmurugan
 2. T. Nirmal Rani
 3. R. Sudhamathi
 4. M. Muthulakshmi
 5. C. Vijayakumar
- ..Respondents/Petitioners

W.A.No.381 of 2022:

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



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

WEB COPY

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 District.
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,
Tiruvarur District, Tiruvarur.
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,
Kanagamuthu,
Krishnagiri District-635 001.

27.The Headmaster,
S.K.Government Higher Secondary School,
Thethakudi South,
Nagapattinam-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,
Panaimadai, 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-623 120.
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-621 110.

49.The Headmaster,
Government 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.

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



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

54.The Headmaster,
Government Higher Secondary School,
Thovalai, Kanniyakumari 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, Tuticorin 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,
Sayagudi, 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, Puthukottai District-614 616.

..Appellants/Respondents

Vs

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.Thamizhkuyil
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

..Respondents/Petitioners

Prayer: Appeals under Clause 15 of the Letters Patent against the order dated 08.02.2022 in W.M.P.Nos.2134, 1398 and 1453 of 2022 in W.P.Nos.1963, 1286 and 1334 of 2022.

Prayer in W.P.No.1963 of 2022:

Writ Petitions filed under Article 226 of the Constitution of India praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus directing the 2nd respondent to instruct the respective Head Masters respondents 7 to 10 herein and the respective Chief Educational Officers respondents 4 to 6 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 Counseling 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.

Prayer in W.P.No.1286 of 2022:

Writ Petitions filed under Article 226 of the Constitution of India praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased



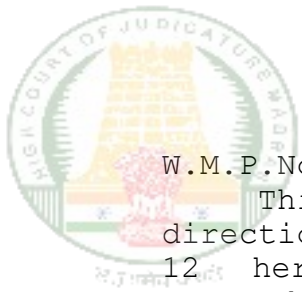
to issue a Writ of Mandamus directing the 2nd respondent to instruct the respective Head Masters respondents 8 to 12 herein and the respective Chief Educational Officers respondents 4 to 7 herein to accept the application of the petitioners who are working as PG Assistants and forward the applications 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.

Prayer in W.P.No.1334 of 2022:

Writ Petitions filed under Article 226 of the Constitution of India praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus directing the 2nd respondent to instruct the respective Head Masters 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.

W.M.P.No.2134 of 2022 in WP.No.1963 of 2022 Prayer:

This Court may be pleased to issue an order of interim direction directing the respective Head Masters respondents 7 to 10 herein and the respective Chief Educational Officers respondents 4 to 6 herein to accept the application of the petitioners in the prescribed format as per the proceedings issued by the 2nd respondent dated 30/12/2021 having reference No.25154 / A1 / E2 /2021 for taking part in the general Transfer counselling to be held on 10/02/2022 or any other subsequent date notwithstanding the fact that the petitioners have not completed one year in the present postings and forward the said applications to the 2nd respondent pending disposal of the writ petition.



W.M.P.No.1398 of 2022 in WP.No.1286 of 2022 Prayer:

This Court may be pleased to issue an order of interim direction directing the respective Head Masters respondents 8 to 12 herein and the respective Chief Education Officers respondents 4 to 7 herein to accept the applications of the petitioners in the prescribed format as per the proceedings issued by the 2nd respondent dated 30.12.2021 having reference No.25154/A1/E2/ 2021 for taking part in the general Transfer counselling to be held on 10.02.2022 or any other subsequent date notwithstanding the fact that the petitioners have not completed one year in the present postings and forward the said applications to the 2nd respondent pending disposal of the writ petition.

W.M.P.No.1453 of 2022 in WP.No.1334 of 2022 Prayer:

This Court may be pleased to issue an order of interim direction directing the respective Head Masters respondents 23 to 68 herein and the respective Chief Educational Officers respondents 4 to 22 herein to accept the applications of the petitioners in the prescribed format as per the proceedings issued by the 2nd respondent dated 30.12.2021 having reference No.25154/A1/ E2/2021 for taking part in the general Transfer counselling to be held on 10.02.2022 or any other subsequent date notwithstanding the fact that the petitioners have not completed one year in the present posting and forward the said applications to the 2nd respondent pending disposal of the writ petition.

For the Appellants : Mrs.T.Mythreye Chandru
Spl. Government Pleader
(School Education)

COMMON JUDGMENT

(Delivered by the Hon'ble Chief Justice)

Pursuant to the letter dated 03.03.2022 given by learned Special Government Pleader (School Education), these writ appeals have been listed today under the caption "for withdrawal".

2. Learned Special Government Pleader (School Education) prays for withdrawal of the writ appeals. She has also made an endorsement to that effect.



3. In view of the above, the writ appeals are dismissed as withdrawn. There will be no order as to costs. Consequently, C.M.P.Nos.2966, 2967 and 2974 of 2022 are closed.

WEB COPY

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

bbr

To:

1. The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George, Chennai - 600 009.
2. The Commissioner of School Education,
Directorate of School Education,
College Road, Chennai - 600 006.
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Thanjavur District-614 901.



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Thiruchirappalli District-620 009.

WEB COPY

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Thiruvarur District,
Thiruvarur.

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Sivagangai District,
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Government Girls Higher Secondary School,
Koothanallur, Thiruvarur District-614 101.

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

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

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



WEB COPY

- 21.The Chief Educational Officer,
Krishnagiri District, Krishnagiri.
- 22.The Chief Educational Officer,
Ariyalur District, Ariyalur.
- 23.The Chief Educational Officer,
Nagapattinam District, Nagapattinam.
- 24.The Chief Educational Officer,
The Nilgiris, Nilgiris District.
- 25.The Chief Educational Officer,
Karur District, Karur.
- 26.The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram.
- 27.The Chief Educational Officer,
Mayiladuthurai District,
Mayiladuthurai.
- 28.The Chief Educational Officer,
Tirupattur District, Tirupattur.
- 29.The Chief Educational Officer,
Perambalur District, Perambalur.
- 30.The Chief Educational Officer,
Kallakurichi District, Kallakurichi.
- 31.The Chief Educational Officer,
Pudukottai District, Pudukottai.
- 32.The Chief Educational Officer,
Kanniyakumari District, Kanniyakumari.
- 33.The Chief Educational Officer,
Tenkasi District, Tenkasi.
- 34.The Chief Educational Officer,
Tiruvallur District, Tiruvallur.
- 35.The Chief Educational Officer,
Tuticorin District, Tuticorin.
- 36.The Headmaster,
Government Boys Higher Secondary School,
Attur, Salem District-636 102.



37. The Headmaster,
Mangalam Kizhar Government Boys Higher Secondary School,
Guruvarajapettai,
Ranipet District-631 101.

WEB COPY

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Nerunjipettai, Erode District-638 311.

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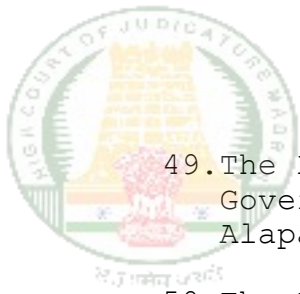
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Government Municipal Modern Higher Secondary School,
Vaniambadi, Tirupattur District-635 751.

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Government Higher Secondary School,
Sayanapuram, Ranipet District-632 401.
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Keeranur, Pudukkottai District-622 502.
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Government Girls Higher Secondary School,
Manamelkudi, Pudukkottai District-614 620.

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Kottur, Thiruvarur District-614 708.

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

81.The Headmaster,
Government Higher Secondary School,
Nagudi, Puthukottai District-614 616.

+1cc to Government Pleader SR. No.15874 (21/03/2022)

W.A.Nos.379, 380 and 381 of 2022

SRA (CO)
PR (14/03/2022)