



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.4563 of 2022

and

W.M.P.No.4703 of 2022

S.Saravanan

... Petitioner

vs.

1.State of Tamil Nadu,

Rep. by its Principal Secretary to Government,
School Education Department,
Fort St.George, Secretariat,
Chennai 600 009.

2.The Commissioner of School Education,

DPI Campus, College Road,
Chennai 600 006.

3.The Joint Director of School Education (Higher Secondary),

DPI Campus, College Road,
Chennai 600 006.

4.The Chief Educational Officer,

Trichy District, Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pass orders giving priority to the petitioner suffered compulsorily deployment order in the previous years in the counseling for deployment of B.T. Assistant teachers in School Education Department, in consideration of the representation submitted by the petitioner to the 2nd and 3rd respondents forthwith and consequently to allow the petitioner to participate in the deployment counseling on priority basis as per the proceedings in Na.Ka.No.009736/E2/2021 dated 28.01.2022.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.V.Nanmaran

Additional Government Pleader

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus directing the second and third respondents to consider the representation of the petitione forthwith and consequently allow the petitioner to participate in the deployment counseling on priority basis.



2. The case of the petitioner in brief:

The petitioner was initially appointed as B.T. Assistant in the School Education Department on 25.09.2014. Subsequently, he was subjected to compulsory deployment to the school located at far off place, vide order dated 19.06.2018 and the petitioner is facing hardships and sufferings in view of the deployment transfer. As per the proceedings of the Director of Elementary Education dated 06.01.2022, 28.01.2022 and 02.02.2022, preference shall be given to the teachers, who subjected to deployment transfer in the previous years. Hence, the petitioner gave representation to the second respondent seeking transfer to the vacancy and needy place, before general transfer counseling, by giving preference to him. But it was not considered. Hence this writ petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner was transferred under compulsory deployment to the Government High School, Naganallur, which is far away from his residence and he is working from the year 2018 in that place. He further submitted that, the transfer counseling is scheduled to be held on 03.03.2022 and hence, the third respondent may be directed to consider the petitioner's claim under priority category and transfer him in the vacancy and needy place.

4. The learned Additional Government Advocate submitted that, if the petitioner is eligible, his request 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 considering the limited scope of prayer, without expressing any opinion on merits, this court is inclined to pass orders.

6. Accordingly, it is ordered as follows:

i) The third respondent is directed to consider the claim of the petitioner under priority category and pass orders in accordance with law, if otherwise he is eligible.

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

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar



To

1. The Principal Secretary,
School Education Department,
Fort St. George, Secretariat,
Chennai 600 009.
2. The Commissioner,
School Education Department,
DPI Campus, College Road,
Chennai 600 006.
3. The Joint Director,
School Education (Higher Secondary),
DPI Campus, College Road,
Chennai 600 006.
4. The Chief Educational Officer,
Trichy District, Trichy.

+1cc to Government Pleader SR. No.14578 (14/03/2022)

W.P.No.4563 of 2022 and
WMP No.4703 of 2022

RR (CO)
PR (04/03/2022)