



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.8593 of 2022

and

W.M.P No.8504 of 2022

K.Chinnathambi Kaathan

... Petitioner

Vs.

1.The Chief Education Officer,
Villupuram District,
Moovendar Nagar,
Villupuram - 605 602.

2.The District Education Officer,
Villupuram District,
Moovendar Nagar,
Villupuram - 605 602.

3.Block Educational Officer,
Kanai Region,
Villupuram District,
Villupuram - 605 301.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, to direct the 1st respondent to dispose of the interim application for stay filed in support of the appeal against the order in Na.Ka.Na.6696/A3/2022 dated 25.03.2022 within a time frame fixed by this Court.

For Petitioner : Mr.Hari Shankar

For Respondents: Mr.V.Manoharan
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The case of the petitioner in brief:

The petitioner is the Headmaster in Panchayat Union Primary School at Vikravandi Circle, Villupuram District. The petitioner was instrumental in raising a complaint against two teachers, one Mr.Manjunathan and Mr.Balasundaram for



misconduct. All of a sudden, one Mr.Kathirarasan, relative of Balasundaram, claiming to be Panchayat President, raised a complaint against the petitioner as a counter blast. Pursuant to the aforesaid complaint, an enquiry was conducted by the 3rd respondent. Thereafter, the 2nd respondent has passed an impugned order transferring the petitioner to a school 45 kms from the village and it is a non-speaking order passed in contravention of settled legal principles. Hence, the petitioner has preferred an appeal as against the transfer order passed by the 2nd respondent dated 25.03.2022. In the said appeal, the petitioner has filed a stay petition and if the said stay petition is not decided within a time frame, the petitioner would be put to irreparable loss. Hence, the petitioner has filed this writ petition before this Court.

3. The learned Additional Government Pleader appearing for the respondents submitted that the main appeal itself has been taken up for final disposal and an order will be passed in the aforesaid appeal.

4. In view of the aforesaid submission and without expressing any opinion on merits, this Court is inclined to direct the 1st respondent to consider the petitioner's appeal itself and pass orders on its own merits and in accordance with law, as expeditiously as possible, within a period of three weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Education Officer,
Villupuram District,
Moovendar Nagar,Villupuram - 605 602.

2.The District Education Officer,
Villupuram District,
Moovendar Nagar,Villupuram - 605 602.

3.Block Educational Officer,
Kanai Region,
Villupuram District,Villupuram - 605 301.

+1 cc to Mr.Hari Shankar, Advocate Sr.NO. 23876

+1 cc to Government Pleader Sr.NO. 23845

W.P.No.8593 of 2022
and W.M.P No.8504 of 2022

rk (CO)

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