



WEB COPY



W.P. No. 34463 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 34463 of 2016
and
W.M.P. No. 29689 of 2016**

K.Sathiyadevi

... Petitioner

-VS-

1. The Chief Educational Officer,
Kancheepuram District,
Kancheepuram.
2. The District Educational Officer,
Chengalpattu,
Kancheepuram District.
3. The Headmaster,
Thanthai Periyar Government Higher Secondary School,
Puzhuthivakkam,
Chennai – 600 091.

Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the First Respondent in Na. Ka. No. 6060/A3/2016 dated 27.08.2016 and the consequential impugned proceedings issued by the Third Respondent in Na. Ka. No. 126 of 2016 dated



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29.08.2016 and to quash the same and consequently directing the Respondents to restore the Petitioner as BT Assistant (Englishe) in Thanthai Periyar Government Higher Secondary School, Puzhuthivakkam, Chennai – 600 091, with all consequential and other attendant benefits.

For Petitioner : Mr. G.Sankaran

For Respondents : Mr. P.Balathandayutham,
Special Government Pleader

ORDER

Heard Mr. G.Sankaran, Learned Counsel for the Petitioner and Mr. P.Balathandayutham, Learned Special Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, while working as Secondary Grade Teacher in Government High School, Puzhuthivakkam, was transferred to Government Higher Secondary School, Kodur during deployment counselling by proceedings in Na. Ka. No. 6060/A3/2016 dated 27.08.2016 passed by the First Respondent, which is challenged in this Writ Petition.



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3. This Court at the time of admission on 30.09.2016 had passed an order of interim stay which continues to be in force till date.

4. Having due regard to the fact that a period of more than five years have lapsed from the time of passing of the impugned order, it is improbable that the same circumstances that then existed still continues. In such circumstances, without expressing any view on the correctness or otherwise of the impugned order, it is made clear that the concerned authorities are not precluded from taking any fresh decision as the exigencies may require regarding the place of posting of the Petitioner in accordance with law and till then, the *status quo* as prevailing today shall be in force.

In the result, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

11.07.2022

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Index: Yes/No

Note: Issue order copy by 25.07.2022.

To



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P.D. AUDIKESAVALU, J.

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