



W.P.No.28792 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.28792 of 2022

P.Sagayanathan

... Petitioner

Vs

1. The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
2. The Chief Educational officer,
Thiruvannamalai District,
Thiruvannamalai.
3. The District Educational officer,
Polur Education District,
Thiruvannamalai District.
4. The Block Educational Officer,
Chetpet Block,
Chetpet,
Tiruvannamalai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to issue transfer order in favour of the petitioner pursuant to the counseling



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conducted on 29.04.2022 and to relieve the petitioner from elementary education to join the transferred school in consideration of representation submitted by the petitioner dated 09.05.2022 within a time frame to be fixed by this Hon'ble Court.

For Petitioner	...	Mr.G.Sankaran
For Respondents	...	Mr.C.Sathish, Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to issue transfer order in favour of the petitioner pursuant to the counselling conducted on 29.04.2022 and to relieve the petitioner from elementary education to join the transferred School in consideration of representation dated 09.05.2022 submitted by the petitioner within a time frame to be fixed by this Court.

2. As seen from the documents filed along with this writ petition and after hearing the submissions made by the learned Government Advocate appearing for the respondents, only due to the reason that the petitioner has not produced No Objection Certificate, the transfer order has not been



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issued in favour of the petitioner from the Elementary education to School Education. However, learned counsel for the petitioner would submit that No Objection Certificate was issued by the Elementary education Department to the school education Department. Therefore, according to the learned counsel for the petitioner, the punishment imposed on the petitioner, by order dated 14.09.2022 passed by the 3rd respondent is not correct. The petitioner has also filed an appeal as against the said order before the 2nd respondent which is pending consideration. Learned counsel for the petitioner would now submit that the petitioner will be satisfied if a direction is issued to the Appellate Authority namely the 2nd respondent to pass final orders on the petitioner's appeal within a time frame to be fixed by this Court.

3. No prejudice would be caused to the respondent if such a direction is issued.

4. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on the petitioner's appeal dated 26.09.2022 referred to supra on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the aforesaid direction, the Writ Petition is disposed of. No

costs.

01.11.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

To

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ABDUL QUDDHOSE, J.

vsi

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