



W.P.No.29966 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29966 of 2022 and WMP No.29375 of 2022

S.Parthiban

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by its Secretary to Government,
School Education Department,
Fort.St.George, Chennai-600 009.
2. The Commissioner of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai-600 006.
3. The Joint Director of School Education,
(Higher Secondary Education),
Directorate of School Education,
DPI Campus, College Road,
Chennai-600 006.
4. The Chief Educational Officer,
Thiruvallur District,
Thiruvallur-602 001.

... Respondents

Petition filed under Article 226 of the Constitution of India praying



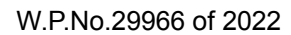
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for the issuance of a Writ of Mandamus directing the respondents 2 and 3 to call the petitioner, who is a senior in the cadre of Post Graduate Assistants in the subject Commerce having been appointed to the posts of Post Graduate Assistants in Commerce on 20.02.2021 for Special Transfer Counselling for the post of Post Graduate Assistant in Commerce in Government Higher Secondary School, Girisamudaram in Tirupattur District or any other Government Higher Secondary School in Tirupattur or Vellore District before calling the candidates who have passed the PG TRB exam in Commerce pursuant to Notification No.01/2021 dated 09.09.2021 issued by the Teachers Recruitment Board for certificate verification and counselling.

For petitioner	...	Mrs.Nalini Chidambaram
For Respondents	...	Mr.C.Sathish Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 2 and 3 to call the petitioner for Special Transfer Counselling for the post of Post Graduate Assistant in Commerce in Government Higher Secondary School, Girisamudaram in Tirupattur District or any other Government Higher Secondary School in Tirupattur or



3. The petitioner claims that he was earlier selected to the post of PG Assistant in Commerce pursuant to the PG Teachers Recruitment Board examination. The grievance of the petitioner is that he has not been placed at the place where he had opted, but has been posted at Thiruvallur. The petitioner seeks for transferring him to the Government Higher Secondary School, Girisamudaram in Tirupattur District or any other Government Higher Secondary School in Tirupattur or Vellore District .



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4. Learned Senior Counsel appearing for the petitioner would now submit, on instructions, that the petitioner shall give a representation requesting for transferring him to Tirupattur or in Vellore District and on receipt of the said representation, the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner on merits and in accordance with law within a time frame to be fixed by this Court.

5. Learned Government Advocate appearing for the respondents would submit, on instructions, that as on date, there are no vacancies available at Tirupattur or at Vellore District.

6. However, this Court is of the considered view that no prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law as and when any vacancy arises either in Tirupattur or in Vellore District.

7. After recording the rival submissions, this Court directs the



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petitioner to submit a representation to the respondents 2 and 3 requesting for transferring the petitioner from Tiruvallur to Government Higher Secondary School, Girisamudaram in Tirupattur District or any other Government Higher Secondary Schools in Tirupattur or in Vellore District within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the respondents shall consider the petitioner's representation and pass orders on merits and in accordance with law whenever there arises any vacancy at Tirupattur District or in Vellore District.

8. With the aforesaid direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

11.11.2022

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

To

1. The State of Tamil Nadu,

5/6



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WEB COPY

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

ABDUL QUDDHOSE, J.

SR

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