



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.03.2022

CORAM:

WEB COPY

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.512 of 2022
and WMP No.395 of 2022

P.Manimaran

... Petitioner

Vs.

- 1.The Commissioner of School Education
O/o. Commissioner of School Education
Nungambakkam, Chennai.
- 2.The Joint Director of School Education (Personnel)
O/o. the Joint Director of school Education
Chennai 600 006.
- 3.The Chief Educational Officer,
Virudhunagar District
Virudhunagar.
- 4.The District Educational Officer,
O/o. District Educational Officer,
Aruppukottai
Virudhunagar District.
- 5.N.K.Ramesh

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari to call for the records relating to the impugned order passed by the 3rd respondent in his proceedings ஸ்/க/எண்/0003-அ1/2022 dated 03.01.2022 and quash the same as illegal.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.G.V.Vairam Santhosh
for R1 to R4
Additional Government Pleader
Mr.M.Jothi Basu for R5



ORDER

The order of transfer transferring the writ petitioner to the post of B.T.Assistant (Science), Government Higher Secondary School in proceedings dated 03.01.2022 is under challenge in the present writ petition.

2. The petitioner is now working as Deputy Inspector of Schools. His grievance is that he has been transferred as B.T.Assistant in Government Higher Secondary School, Veerachozhan, Aruppukottai Educational District. Post of Deputy Inspector of Schools and B.T.Assistant (Science) are identical cadre carrying same scale of pay. The transfer would not affect the service conditions of the petitioner. When the posts are equal and there is no change in remuneration and perquisites, the petitioner cannot raise any objection for such transfer. Pertinently the petitioner is transferred within the same educational District at Aruppukottai itself. Therefore, the impugned order of transfer would not affect the normal life of the writ petitioner.

3. Transfer is an incidental to service, more so, the conditions of service. Transfer and postings are the administrative prerogative and the High Court would not interfere with the day-today administration of the Government in the matter of transfers. When the authorities competent have issued the transfer within the same district, there is no reasons whatsoever to interfere in such orders. Accordingly, the writ petition stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

RR

To

1.The Commissioner of School Education
O/o. Commissioner of School Education
Nungambakkam, Chennai.

2.The Joint Director of School Education (Personnel)
O/o. the Joint Director of school Education
Chennai 600 006.



3.The Chief Educational Officer,
Virudhunagar District
Virudhunagar.

4.The District Educational Officer,
O/o. District Educational Officer,
Aruppukottai
Virudhunagar District.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-14767[F] dated
28/03/2022)

+2 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-14784[F] dated
28/03/2022)

+1 CC to M/s.SPL GP (SR-14875[F] dated 28/03/2022)

W.P. (MD) No. 512 of 2022
25.03.2022

RK(05/04/2022) 3P 9C