



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

W.P. [MD] .No.916 of 2022

P.Kavitha

...Petitioner

Vs.

- 1.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Trichy,
Trichy District.
- 2.The District Educational Officer,
O/o.The District Educational Officer,
Musuri Educational District,
Musuri,
Trichy District.
- 3.The Block Educational Officer,
O/o.The Block Educational Officer,
Uppliyapuram Union, Uppliyapuram,
Trichy District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to retain the petitioner in the available vacancy to the post of Secondary Grade Teacher in Uppliyapuram Block, Trichy District as per condition No.6, in the deployment order dated 30.08.2019 within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.J.Ashok,
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking Mandamus directing the respondent No.1 to retain the petitioner in the available vacancy to the post of Secondary Grade Teacher in Uppliyapuram Block, Trichy District.



2. The learned counsel appearing for the petitioner submits that the petitioner was originally appointed as Secondary Grade Teacher in the year 2004 at the Panchayat Union Middle School, Trichy District. On 03.11.2005, she was transferred to Panchayat Union Primary School, T.Puthupatti in Musiri Union. Thereafter, on 03.06.2008, she was posted at Panchayat Union Primary School, Naganallur, Uppliyapuram. While so, on 30.08.2019, she was deployed from Uppliyapuram Union by the first respondent on the ground of surplus. The learned counsel submits that the school at Uppliyapuram is having sufficient students strength and therefore, the respondent ought to have posted the petitioner in the very same school from where she was deployed. However, the respondents have not done so. Therefore, the present writ petition has been filed.

3. Mr.Ashok, learned Additional Public Prosecutor submits that there is no sufficient students strength as claimed by the learned counsel for the petitioner in Uppliyapuram School. However, he fairly submits that there is no impediment for the petitioner to participate in the forthcoming transfer counselling.

4. Considering the submission made on behalf of the respondents, learned counsel appearing for the petitioner confines his relief to allow the petitioner to participate in the forthcoming counselling. Hence, this Writ Petition is disposed of with a direction to the respondents to permit the petitioner to participate in the forthcoming transfer counselling, as per her seniority. No costs.

Sd/-

Assistant Registrar (AD I)

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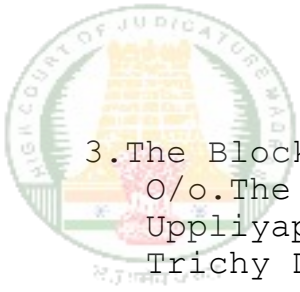
Sub Assistant Registrar(CS)

ssb

To

1.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Trichy,
Trichy District.

2.The District Educational Officer,
O/o.The District Educational Officer,
Musuri Educational District,
Musuri,
Trichy District.



3.The Block Educational Officer,
O/o.The Block Educational Officer,
Uppliyapuram Union, Uppliyapuram,
Trichy District.

+1 CC to M/s.S.LOUIS, Advocate (SR-2284[F] dated 25/01/2022)

+1 CC to M/s.SPL.GP (SR-2407[F] dated 25/01/2022)

W.P. [MD] .No. 916 of 2022
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MGJ(01.03.2022) 3P 6C