



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.01.2022

CORAM:

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

W.P (MD) No. 4618 of 2020

and

W.M.P (MD) No. 3973 and 3974 of 2020

C.Anbumani

... Petitioner

Vs

- 1.The Secretary to Government,
School Education Department,
Secretariat, Chennai -9.
- 2.The Director of Elementary Education,
Chennai - 6.
- 3.The Joint Director of Elementary Education,
Chennai - 6.
- 4.The District Educational Officer,
Aranthangi,
Pudukottai District.
- 5.The Chief Educational Officer,
Pudukottai.
- 6.The Block Educational Officer,
Aranthangi,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus, calling for the records pertaining to the order passed by the first respondent in his proceedings in G.O.Ms.No(1D)No.217, School Education (Pa.Ka.5 (1) Department dated 20.06.2019 insofar as para 4 I(ii) is concerned and the consequential transfer order passed by the fourth respondent in his proceedings in Na.Ka.No.194/A5/2019, dated 18.06.2019 and quash the same and direct the respondents to follow the union seniority to effect the surplus transfer orders.

For Petitioner : Mr.G.Karnan
For Respondents : Mr.S.Saji Bino,
Special Government Pleader



ORDER

This writ petition has been filed challenging the transfer of the petitioner on the ground of surplus.

2.The learned Counsel for the petitioner submits that the petitioner, a Secondary Grade Teacher, has been transferred from Panchayat Union Primary School, Karavayal to Panchayat Union Middle School, Vairivayal in Pudukottai District, vide order dated 18.06.2019 on the ground of surplus Teachers.

3.The learned Counsel for the petitioner claims that though the petitioner was transferred on the ground of surplus on 18.09.2019, there has been an increase in the students strength in the Panchayat Union Primary School, Karavayal as of now and the said school is in need of two more Teachers and therefore, the petitioner shall be posted back to the said school considering the increased students strength.

4.The learned Special Government Pleader appearing for the respondent submits that they consider the case of the petitioner and pass orders in accordance with law.

5.In view of the above, this writ petition is disposed of directing the respondents to consider the claim of the petitioner based on the present students strength at the Panchayat Union Primary School, Karavayal and pass orders on merits and in accordance with law, within period of four weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of on the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

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5. The Chief Educational Officer,
Pudukottai.

6. The Block Educational Officer,
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Pudukottai District

+1 CC to M/s.SPL.GP (SR-2412[F] dated 25/01/2022)

W.P (MD) No. 4618 of 2020
24.01.2022

AM(CO)
KB(03.03.2022) 3P 8C