



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No. 6268 of 2022

and

W.M.P. (MD) Nos. 4872 and 4873 of 2022

S.Unaicy Christy Jothi

... Petitioner

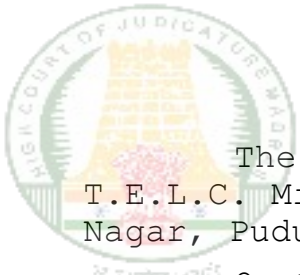
Vs.

1. The Chief Educational Officer,
Chief Education Office,
Pudukottai - 622 001.
2. The District Educational Officer,
District Education Office,
Pudukkottai - 622 001.
3. The Block Educational Officer - I,
Block Educational Office,
Pudukkottai - 622 001.
4. The Block Educational Officer - II,
Block Educational Office,
Pudukkottai - 622 001.
5. The Block Educational Officer - III,
Block Educational Office,
Pudukkottai - 622 001.
6. The Head Master,
T.E.L.C. Middle School,
North 3rd to 5th Street,
Pudukkottai - 622 001.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari calling for the records relating to impugned order dated 11.03.2022 vide proceedings in Na.Ka.No.858/A1/2021 passed by the third to fifth respondents and quash the same.

For Petitioner	:	Mr.K.Balasundharam
For Respondents	:	Mr.G.V.Vairam Santhosh
		Addl. Govt. Pleader for R1 to R5

**O R D E R**

The order temporarily deputing the writ petitioner from T.E.L.C. Middle School, Pudukkottai to Municipal Middle School, Bose Nagar, Pudukkottai is under challenge in the present Writ Petition.

2. The petitioner was appointed as Secondary Grade Teacher on 20.06.1988 at T.E.L.C Middle School at Nagapattinam District. She was transferred to Pudukkottai T.E.L.C Middle School on 11.06.1991. On 05.07.1998, she was granted Selection Grade and subsequently, Special Grade on 05.07.2008.

3. The learned counsel appearing on behalf of the petitioner mainly contended that though the petitioner was temporarily deputed to the other School, she is the only Tamil Teacher in the T.E.L.C School and therefore, she should not be deployed to take classes in the other School. The order did not contain any reason. In the absence of any reason, the impugned order is to be set aside as far as the petitioner is concerned.

4. The attempt taken by the petitioner is nothing but interference with the Administration. An employee has a right to agitate about her service conditions and regarding infringement of right. The temporary deployment of a Teacher would not cause any infringement of right or violation of service conditions. Furthermore, the learned Additional Government Pleader brought to the notice of this Court that within Pudukkottai Town, the petitioner is temporarily deployed by considering the request of the students and the parents in the particular School. In other words, on the basis of necessity, the petitioner was temporarily deployed to the other School to take classes.

5. The deployment are administrative prerogative. The Administration and the Competent Authorities are empowered to utilize the services of the Teachers in the interest of the students and the Schools. Such deployment would not provide a cause for filing the Writ Petition. Temporary deployment would not affect the service rights of the petitioner. The submission of the petitioner regarding certain administrative affairs cannot be considered by this Court in the present Writ Petition as the petitioner has not established even a semblance of legal right for the purpose of considering the relief.

6. Interestingly, the petitioner is temporarily deputed within Pudukkottai Town and more specifically, the deputed School situates within 2kms from the present School. Therefore, the Writ Petition is not only vexatious but shows that the petitioner is choosing a place and post which can never be encouraged by the Court. Public servants are expected to work wherever they are posted in the interest of Administration.

7. In view of the fact that the petitioner has filed the petition unnecessarily before this Court without even establishing any right or violation of service conditions, this Court is not inclined to entertain the Writ Petition.



8. Accordingly, this Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

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/ /2022

Sub Assistant Registrar(CS)

vji

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+1 CC to M/s.SPL.GP (SR-16916[F] dated 06/04/2022)

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KMV(CO)

KB(22.04.2022) 3P 8C