

W.P.(MD) No.7127 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD) No.7127 of 2020

and

W.M.P.(MD) No.6567 of 2020

E.Ebenezer Jebakumari

... Petitioner

-vs-

- 1.The Directorate of School Education
School Education Department
DPI Complex, Chennai
- 2.The Chief Educational Officer
Tirunelveli District, Tirunelveli
- 3.The District Educational Officer
Tirunelveli Educational District
Tirunelveli
- 4.The Correspondent
Mary Sargent Girls Higher Secondary School
Palayamkottai, Tirunelveli District
- 5.The Administrators
CSI Tirunelveli Diocese
Tirunelveli

6.J.Little Gracia

... Respondents

[R5 – cause title amended vide Court Order dated 21.07.2020 in W.M.P.(Md) No.6975 of 2020 and R6 is impleaded vide Court Order dated 23.09.2022 in W.M.P.(MD) No.9174 of 2020]

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the fifth respondent to pass orders on the issue of transfer of the petitioner as Secondary Grade Teacher in the fourth respondent School by reviewing their earlier order dated 26.09.2019, by considering the representation of the petitioner dated 18.03.2020.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.S.Shaji Bino
Special Government Pleader for R1 to R3
Mr.S.C.Herold Singh for R4
Mr.Thangasivam for R5
Mr.K.Jeyamohan for R6

ORDER

The prayer in this writ petition is for issuance of a writ of mandamus directing the fifth respondent to consider the petitioner's representation dated 18.03.2020 with regard to her transfer to the fourth respondent – School as Secondary Grade Teacher, by reviewing their earlier order dated 26.09.2019, within a stipulated period.

2. The learned counsel appearing for the petitioner submitted that ventilating her grievance with regard to her transfer to the fourth respondent – School as Secondary Grade Teacher, by reviewing the earlier order dated 26.09.2019 passed by the Administrators, the petitioner gave a representation to the respondents as early as on 18.03.2020 and the same is still under consideration with them. Therefore, the learned counsel submitted that it would suffice if a direction is given to the authority concerned to consider the petitioner's representation dated 18.03.2020 and pass appropriate orders on merits and in accordance with law, within a stipulated period.

3. The learned Special Government Pleader appearing for the respondents 1 to 3 and the respective learned counsel appearing for the respondents 4 to 6 submitted that the authority concerned will dispose of the petitioner's representation dated 18.03.2020 within a time frame.

4. In view of the above submission, without going into the merits of the claim made by the petitioner, the authority concerned is directed to consider the petitioner's representation dated 18.03.2020 and pass appropriate orders on merits and in accordance with law, after giving

sufficient opportunity of personal hearing to all the parties concerned, within a period of eight (8) weeks from the date of receipt of a copy of this order.

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

14.10.2022

(4/4)

Index : Yes / No

Internet : Yes / No

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To:

1.The Directorate of School Education,
School Education Department,
DPI Complex, Chennai.

2.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.

3.The District Educational Officer,
Tirunelveli Educational District,
Tirunelveli.

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R.MAHADEVAN, J.

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