

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.22334 of 2022

N.Sangaiah

... Petitioner

Vs.

1. The Joint Director (Personnel),
Department of School Education,
Chennai.
2. The Regional Educational Officer,
O/o.The Regional Educational Officer,
Kalaiyarkovil, Sivagangai District.
3. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Sivagangai District, Sivagangai.
4. Packiyamary,
Head Mistress,
Puthukudiyiruppu Panchayat Union School,
Kalaiyarkovil Via,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to initiate departmental action against the 4th respondent and transfer the 4th respondent

based on the proceedings in Na.Ka.No.22/A4/ 2022 dated 01/2022 dated 10.01.2022 of the 3rd respondent within a time frame as fixed by this Court.

For Petitioner : Mr.A.Rajini

For R-1 to R-3 : Mr.S.Shaji Bino,
Special Government Pleader.

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ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for respondents 1 to 3.

2. The writ petitioner is an agriculturist. His son is studying in Puthukudiyiruppu Panchayat Union School, Kalaiyarkovil, Sivagangai District. The petitioner alleges that the fourth respondent is not running the school in a proper manner and that she has committed several irregularities and that the actions of the school itself is not conducive for the education of the children.

3. The learned counsel appearing for the petitioner took me through the averments set out in the affidavit filed in support of the writ petition. He also submitted that the third respondent had already formed a committee and that he is proposing to initiate action. He wants this Court to direct the authorities to initiate action against the fourth respondent and also to transfer her to some other school. The petitioner had also given a representation in this regard.

4. I carefully considered the rival contention and went through the materials on record.

5. As rightly contended by the learned Special Government Pleader appearing for respondents 1 to 3, whether to transfer the employee from one station to another or whether to initiate disciplinary action or not are the matters that fall within the exclusive domain of the employer. It is not for the writ Court to issue any direction in this regard. The petitioner has brought certain issues for consideration of the third respondent. It is for the third respondent to take a call in the matter. This Court will not be justified in issuing any

direction. This writ petition stands disposed of accordingly. No costs.

22.09.2022

Index : Yes / No
Internet : Yes/ No

PMU

To:

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O/o.The Regional Educational Officer,
Kalaiyarkovil, Sivagangai District.
3. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Sivagangai District, Sivagangai.

G.R.SWAMINATHAN,J.

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