



WEB COPY

W.P.(MD) No.21747 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.21747 of 2019

and

W.M.P. (MD) No.18485 of 2019

D.Muthupandi

... Petitioner

-vs-

- 1.The Director,
Elementary Education,
Directorate of Elementary Education,
Tamil Nadu, DPI Campus,
Nungambakkam, Chennai-600 008.
- 2.The District Educational Officer,
Sivagangai, Sivagangai District.
- 3.The Block Educational Officer,
Thirupuvanam, Sivagangai District.
- 4.The Head Master,
Panchayat Union Elementary School,
Allinagaram, Thirupuvanam Block,
Sivagangai District.
- 5.The Headmaster,
Panchayat Union Middle School,
Kurunthankulam, Thirupuvanam Union,
Sivagangai district.
- 6.Sathiyendran

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records pertaining to the impugned orders in Na.Ka.No.884/A5/2019 dated 09.10.2019 of the 2nd respondent and consequent order in Na.Ka.No.651/Aa1/2019 dated 10.10.2019 of the 3rd respondent and quash the same.

For Petitioner : Mr.T.S.Mohamed Mohideen, Advocate
For R-1 to R-5 : Mr.G.Vairam Santhosh,
Additional Government Pleader
For R6 : Mr.N.Sathish Babu, Advocate



O R D E R

This writ petition is filed challenging the order of transfer dated 09.10.2019 passed by the 2nd respondent and the consequent relieving order dated 10.10.2019 passed by the 3rd respondent.

2.The order of transfer impugned was passed to avoid inconvenience to the school administration. Complaints and counter complaints are made and under those circumstances, the 2nd respondent thought fit to transfer the petitioner in the interest of school administration. However, three years lapsed.

3.Learned counsel appearing on behalf of the writ petitioner made a submission that now the teachers are retained in their respective original places and are working. This being the factum, no further adjudication is required in respect of the complaints made and it is for the administration to take a decision on merits and in accordance with law and if the complaints are serious, then certainly enquiry is warranted. Interest of school administration is of paramount importance and whenever certain serious complaints are lodged, the authorities are bound to look into the seriousness involved and conduct enquiry, if necessary, by following the procedures as contemplated. As far as the order of transfer is concerned, no further consideration is required as the writ petitioner is rejoined in his original place. The writ petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1.The Director,
Elementary Education,
Directorate of Elementary Education,
Tamil Nadu, DPI Campus,
Nungambakkam, Chennai-600 008.
- 2.The District Educational Officer,
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- 3.The Block Educational Officer,
Thiruppuvanam, Sivagangai District.



4.The Head Master,
Panchayat Union Elementary School,
Allinagaram, Thirupuvanam Block,
Sivagangai District.

5.The Headmaster,
Panchayat Union Middle School,
Kurunthankulam, Thirupuvanam Union,
Sivagangai district.

+1 CC to M/s.T.S.MOHAMED MOHIDHEEN, Advocate (SR-4898[F] dated 08/02/2022)

+1 CC to M/s.SPL GP (SR-4815[F] dated 08/02/2022)

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RS(18.02.2022) 3P-8C