



W.P.(MD).No.9585 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2022
CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.9585 of 2017
and

W.M.P.(MD).Nos.7316 and 7317 of 2017

G.Chitra Devi

... Petitioner

Vs.

1.The Chief Educational Officer,
Virudhunagar,
Virudhunagar District.

2.The District Educational Officer,
Arupukottai,
Virudhunagar District.

3.T.U.N.S.V.Higher Secondary School,
Represented by its,
The Headmaster (Since under Direct Payment),
Tiruchuli,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the first respondent herein in Na.Ka.No.5767/A1/2016 dated 28.04.2017 and quash the same.



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For Petitioner : Mr.T.Pon Ramkumar
For Respondents : Mr.V.Om Prakash,
Government Advocate,
(Civil Side).

ORDER

This Writ Petition has been filed challenging the deployment order dated 28.04.2017.

2. As per the staff fixation order, the School is having surplus Teacher in B.T. Assistant for the subject Science and Social Science. Therefore, the respondents have passed the deployment order, thereby deploying the petitioner from Tiruchuli to Aruppukottai. The petitioner also submitted that the deployment order passed for Social Science was recalled, because another Social Science Teacher died. Therefore, the deployment order passed insofar as the Social Science Teacher is concerned was re-called. However, the respondents have not recalled the deployment order passed for the science subject, through which the petitioner was deployed. Even according to the writ petitioner, the junior most person ought to be deployed if there is surplus teacher. In the present case, the petitioner is the junior most in the Science subject category and in such



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circumstances, the deployment order passed by the respondents is legally valid.

The petitioner has not substantiated any legal ground to interfere with the deployment order.

3. When the Writ Petition was taken up for admission, this Court has granted interim stay. The writ petitioner is continuing in the same post without giving effect to the deployment order and has served in the same place for more than five years. Due to efflux of time, there is no issue to adjudicate upon. Therefore, the official respondents are at liberty to consider the present status of the third respondent School and pass deployment order in accordance with law.

4. Hence, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

26.10.2022

Index : Yes / No
Internet : Yes

Nsr



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S.SRIMATHY, J

Nsr

To

1.The Chief Educational Officer,
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Virudhunagar District.

2.The District Educational Officer,
Arupukottai,
Virudhunagar District.

3.The Headmaster (Since under Direct Payment),
T.U.N.S.V.Higher Secondary School,
Tiruchuli,
Virudhunagar District.

Order made in
W.P.(MD).No.9585 of 2017

26.10.2022