



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22844 of 2021

and

WMP (MD) .Nos.19331 to 19333 of 2021

WEB COPY

R.Arulraj
S/o.P.Rajaian

... Petitioner

versus

1.The Secretary

Government of Tamil Nadu,
Department of School Education,
Fort St.George,
Chennai-600 009.

2.The Director of School Education,

College Road,
Chennai-600 006.

3.The Joint Director of School Education,

College Road,
Chennai-600 006.

4.The Chief Educational Officer,

Thoothukudi,
Thuthukudi District-628 002.

5.The Chief Educational Officer,

Kanyakumari,
Kanyakumari District-629 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the third respondent Joint Director in impugned proceedings in Na.Ka.No.44622/C1/E1/2020 dated 03.03.2021, quash the same, and further direct the respondents to consider forthwith the petitioner's representation dated 05.04.2021 seeking to transfer him to any one of the available vacant posts of High School Headmaster in the District of Kanyakumari, by considering his seniority in the post of High School Headmaster w.e.f 02.08.2018.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers

For Respondents : Mr.S.Saji Bino
Special Government Pleader



ORDER

This Writ Petition is filed against the order of the third respondent dated 03.03.2021 and consequently to direct the respondents to consider the petitioner's representation dated 05.04.2021.

2.The learned counsel for the petitioner submitted that the petitioner was appointed as Second Grade teacher on 01.08.1995 in Panchayat Union Primariy School, Puduppatti, Pudukottai District and thereafter, she was promoted as B.T Assistant(Science) and posted in Government Higher Secondary School, Melesivapuri, Pudukottai District. On 01.08.2006, she was promoted as P.G. Assistant (Botony) and posted in Government Higher Secondary School, Valavallan, Thoothukudi District. Thereafter, she was appointed as Headmaster (High School) by way of transfer and posted at Government High School, Pallapatti, Virudhunagar District on 02.08.2018. His seniority in the post of High School Headmaster has to be counted from the said date, if he serves in any of the schools in Virudhunagar District. Based on the G.O.Ms.No.166, School Education-Pa.Ka.292 Department, dated 07.08.2018, he was transferred from Government High School, Pallapatti, Virudhunagar District to Government High School, Thozhappanpannai, Thoothukudi District as a Higher Secondary School Head Master.

3. According to the learned learned counsel for the petitioner, in view of the such transfer, the petitioner has lost his station seniority at Virudhunagar District and he was placed below his juniors in Thoothukudi District. The petitioner's native is Kanyakumari and he requested for transfer to Kanyakumari in any vacancy of the Headmaster in Kanyakumari District and the same was rejected by the order impugned in the writ petition.

4. The learned Special Government Pleader appearing for the respondents submitted that the counselling for the Headmaster is scheduled to be held on 03.02.2022 and there is no ground to the petitioner to participate in the counselling. He requests short accommodation to get instructions with regard to the station seniority in Virudhunagar District,.

5. Without expressing anything on the claim of the petitioner in regard to his station seniority in Virudhunagar District, this Court directs the respondents to allow this petitioner to participate in the proposed counselling scheduled to be held on 03.02.2022. The respondents shall consider the petitioner's case as per his eligible station seniority at Virudhunagar District, since he was initially appointed as Headmaster in the year 2018 and thereafter he was transferred in view of the upgradation of school, where he was working as Headmaster.



6. With the above direction, this Writ Petition is disposed of. Consequently, the connected miscellaneous Petitions are closed. No Costs.

WEB COPY

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

tta

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Secretary
Government of Tamil Nadu,
Department of School Education,
Fort St.George, Chennai-600 009.
 - 2.The Director of School Education,
College Road, Chennai-600 006.
 - 3.The Joint Director of School Education,
College Road,
Chennai-600 006.
 - 4.The Chief Educational Officer,
Thoothukudi, Thuthukudi District-628 002.
 - 5.The Chief Educational Officer,
Kanyakumari, Kanyakumari District-629 001.
- +1 CC to Mr.K.Ragatheesh Kumar (ISAAC CHAMBERS, Advocate
(SR-2458[F] dated 25/01/2022)
- +1 CC to M/s.SPL.GP (SR-2565[F] dated 27/01/2022)

W.P (MD)No.22844 of 2021

25.01.2022

NSN (CO)

GC(03.02.2022) 3P 8C