



WP.No.1035 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

Coram

The Honourable Mr. Justice **ABDUL QUDDHOSE**

Writ Petition No.1035 of 2023

S.Indhra Devi

..... Petitioner

-Versus-

1.The Director of Elementary Education,
D.P.I. Campus, Chennai – 6.

2.The District Educational Officer (Elementary),
Tirunelveli District.

3.The District Educational Officer,
Chennai.

.... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the request of the petitioner to be re-transferred from Manoor Block, Tirunelveli District to Adyar Block, Chennai District by giving first priority to the petitioner to fill up the vacancy in the post of BEO Adyar Block which arose on 01.01.2023 as per the proceedings of the first respondent in Na.Ka.No.28688/I1/2022 dated 30.09.2022.

For Petitioner : Ms.Dakshayani Reddy

*For Respondents : Ms.E.Indumathi,
Government Advocate*

ORDER



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This writ petition has been filed for a mandamus seeking for a direction to the first respondent to consider the request of the petitioner to be re-transferred from Manoor Block, Tirunelveli District to Adyar Block, Chennai District by giving first priority to the petitioner to fill up the vacancy in the post of BEO Adyar Block which arose on 01.01.2023 as per the proceedings of the first respondent in Na.Ka.No.28688/I1/2022 dated 30.09.2022.

2. The case of the petitioner is that she was transferred from Chennai which is her parent unit to Tirunelveli. The petitioner is a Block Educational Officer. According to the petitioner, as per the proceedings of the first respondent, which have been annexed along with this writ petition, as and when any vacancy arises in the parent unit, on priority basis, the petitioner who has been transferred to Tirunelveli on temporary basis is entitled for getting re-transferred to the parent unit which in the case of the petitioner is Chennai. The petitioner has given a representation on 02.01.2023. According to the said representation, there is a vacancy in the Adyar Block with effect from 01.01.2023.



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3. Heard Ms.Dakshayani Reddy, learned counsel for the petitioner and Ms.E.Indumathi, learned Government Advocate, who accepts notice on behalf of the respondents.

4. No prejudice would be caused to the respondents if the petitioner's representation seeking for transfer to Chennai at the Adyar Block as a Block Educational Officer is considered on merits and in accordance with law within a time frame to be fixed by this Court. The respondents will have to consider the petitioner's representation based on the earlier proceedings issued by the first respondent which has been enclosed along with this writ petition.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 02.01.2023 seeking for re-transfer as a Block Educational Officer at Adyar Block, Chennai based on the proceedings of the first respondent dated 30.09.2022 within a period of eight weeks from the date of receipt of a copy of this order.



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6. With the aforesaid direction, the writ petition stands disposed of. No costs.

12.01.2023

Index : Yes / No
Neutral Citation : Yes / No
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To

- 1.The Director of Elementary Education,
D.P.I. Campus, Chennai – 6.
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Tirunelveli District.
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Chennai.

ABDUL QUDDHOSE.J.,



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