



W.P.No.3523 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.3523 of 2023

Vanitha @ Usha

.. Petitioner

vs

1. The Government of Tamil Nadu
Rep. By its Secretary
Department of School Educational
Fort St.George, Chennai.

2. The District Educational Officer
Thiruvannamalai District
Thiruvannamalai.

3. The Assistant Educational Officer
Vembakkam Taluk
Tiruvannamalai District.

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 22.11.2022 and to direct the respondents to transfer from the Panchayat Union School, Alijalpattu, Tiruvannamalai District to Tenkasi District or any other nearby District of Tenkasi within stipulated time fixed by this Hon'ble Court for enabling to take care of her old age parents.

For Petitioner : Mr.A.S.Krishnan

For Respondents : Mrs.M.Jayanthi
Additional Government Pleader



W.P.No.3523 of 2023

WEB COPY

ORDER

The writ petition has been filed for the issue of a writ of Mandamus, directing the respondents to consider the representation made by the petitioner on 22.11.2022, wherein, the petitioner is seeking for transfer from Panchayat Union School, Thiruvannamalai to any other school at Tenkasi or any other District nearby Tenkasi District.

2. The case of the petitioner is that she initially joined into service in the year 2007 and was serving in the third respondent school at Thiruvannamalai District. Till date, the petitioner continue to serve in the third respondent school.

3. The grievance of the petitioner is that the petitioner has served in the same school for nearly fifteen years. Her native is Tenkasi District and her parents are at Tenkasi District and they are taking care of the children of the petitioner. The petitioner wants to take care of her old ailing parents and hence, she made a representation on 22.11.2022 seeking for transfer to another school at Tenkasi District or any other District near to Tenkasi District. Since the representation was not considered, the present writ petition is filed before this Court, seeking appropriate direction.



W.P.No.3523 of 2023

WEB COPY

4. Heard Mr.A.S.Krishnan, learned counsel for the petitioner and Mrs.M.Jayanthi, learned Additional Government Pleader for the respondents.

5. In the considered view of this Court, the reasons stated by the petitioner while seeking for transfer sounds very reasonable. The petitioner has been serving at the Thiruvannamalai Panchayat Union School for more than fifteen years. The petitioner wants to take care of her parents and also her children at Tenkasi District. Hence, the respondents will have to consider the request made by the petitioner on humanitarian grounds and the petitioner must be given some relief to enable her to go back to her native District.

6. In the light of the above, there shall be a direction to the second respondent to consider the representation made by the petitioner on 22.11.2022, on its own merits and a decision shall be taken with regard to the transfer of the petitioner to Tenkasi District or to any other District near to Tenkasi District and the petitioner may be posted in an appropriate school, so that she can take care of her old ailing parents and also her children. The second respondent shall consider the representation on humanitarian ground and a decision shall be taken within a



W.P.No.3523 of 2023

period of six weeks from the date of receipt of a copy of this order.

WEB COPY

7. The petitioner is directed to make a fresh representation to the second respondent along with all relevant documents and also with a copy of this order.

8. This writ petition is disposed of with the aforesaid directions. There will be no order as to costs.

Index: Yes/No
drm

08.02.2023

To

1. The Government of Tamil Nadu
Rep. By its Secretary
Department of School Educational
Fort St.George, Chennai.
2. The District Educational Officer
Thiruvannamalai District
Thiruvannamalai.
3. The Assistant Educational Officer
Vembakkam Taluk
Tiruvannamalai District.



WEB COPY



W.P.No.3523 of 2023

N.ANAND VENKATESH, J

(drm)

W.P.No.3523 of 2023

08.02.2023