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W.P.No.3930 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.3930 of 2023 and
W.M.P.Nos.3996, 7100 & 28060 of 2023

K.Usha Rani

... Petitioner

Versus

1.The Government of Tamilnadu,
Rep.by its Principal Secretary to Government,
Education Department,
Fort St.George,
Chennai – 600009.

2.The Director of School Education,
DPI Compound,
College Road,
Chennai-600006.

3.The Chief Educational Officer,
Tiruvallur District.

4.The District Elementary Educational Officer,
Ponneri,
Tiruvallur District.

5.The Block Educational Officer,
Minjur Union,
Tiruvallur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari or any other appropriate Writ, order or Direction in the nature of writ calling for the records pertaining to the order



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passed by the 4th respondent in Na.Ka.No.511/A4/2022 dated 06.12.2022 and quash the same.

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For Petitioner : Mr.L.K.Charles Alexander
For Respondents : Mr.P.Baladhandayutham,
Special Government Pleader

ORDER

This Writ Petition has been filed to call for the records pertaining to the order passed by the 4th respondent in Na.Ka.No.511/A4/2022, dated 06.12.2022 and quash the same.

2.The case of the petitioner is that initially, the petitioner was appointed as Secondary Grade Teacher *vide* proceedings of the District Educational Officer, Thiruvallur, dated 05.08.1991 and placed in Panchayat Union Middle School at Nemili, Thiruvallur district and thereafter, she was working as Headmaster in Panchayat Union Middle School, Thathaimanji, Thiruvallur district. The Panchayat President one Selvi, who belongs to the Scheduled Tribe Community, has occupied 3 ¼ acres of land belongs to the Panchayat Union Middle School and therefore, the petitioner recovered the School lands from the said Selvi and constructed compound wall. Annoyed over the same, the said Selvi preferred a false complaint against the petitioner and the same was published in media under her influence.



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Thereafter, the petitioner has been transferred from the Panchayat Union Middle School, Thathaimanji, Thiruvallur *vide* impugned proceedings of the 4th respondent, dated 06.12.2022 to Panchayat Union Middle School, Koraikuppam, Thiruvallur. Challenging the same, the present Writ Petition has been filed.

3.Heard the submissions of the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

4.Earlier, this Court finding that the transfer in question is malafide, had granted interim stay on 10.02.2023 and the same has been periodically extended till today i.e., 27.09.2023.

5.On perusal of the communication of the Block Education Officer, Minjur, dated 16.08.2023 to the Sub Divisional Magistrate-cum-Sub Collector of Ponneri, Thiruvallur, it appears that there is some communal discord among the students and some of the students belong to Scheduled Tribes not happy with the petitioner being an Headmaster in the Panchayat Union Middle School, Thathaimanji. Due to which, the petitioner was



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transferred to the Panchayat Union Middle School, Koraikuppam, Thiruvallur. On further perusal of other typed set produced before this Court by the petitioner, indicates that the reason for the entire issue is only on the intervention of the Panchayat President, who claims superiority over the Headmaster in the Panchayat Union Middle School, Thathaimanji. It is also revealed that even the Panchayat President claims right in hoisting the flag in the said School. Due to such political interference, the school students were brainwashed and the political parties tried to avoid the petitioner in the said School. Now, it appears that out of 21 students, 12 students are re-admitted in the Panchayat Union Primary School, Kattur and 9 students are re-admitted in Government Higher Secondary School, Kattur.

6. On considering the nature of the issue arisen and communal colour has been given for the same and young children brain has been spoiled by the political parties, this Court is inclined to give quites to the issue. Accordingly, the interim order granted by this Court on 10.02.2023 is vacated. Let the petitioner shall be transferred to the nearby School. According to the learned Special Government Pleader, there is a vacancy in



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the Panchayat Union Middle School, Kattavur. Therefore, the respondents are directed to transfer the petitioner to the Panchayat Union Middle School, Kattavur, Thiruvallur District. The petitioner is also entitled for all the salary benefits in the previous postings.

7.It is made clear that the District Collector, Thiruvallur and the Superior Officers of the Education Department to ensure that no political parties or leaders to enter into the School premises to interact with the students in the caste line. Neither the Panchayat President nor political parties shall be allowed to conduct any functions in the School premises.

8.With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

27.09.2023

Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Speaking Order/Non-Speaking Order

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N.SATHISH KUMAR, J.

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To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Education Department,
Fort St.George, Chennai – 600009.
- 2.The Director of School Education,
DPI Compound, College Road,
Chennai-600006.
- 3.The Chief Educational Officer,
Tiruvallur District.
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Minjur Union, Tiruvallur District.

Copy To:

The District Collector,
Thiruvallur.

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