



WEB COPY



WP.No.25753 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.25753 of 2023
and W.M.P.No.25180 of 2023

K.S.Shivakumar

.. Petitioner

Versus

1.The Chief Educational Officer
Erode, Erode District

2.The District Educational Officer
Perundurai
Erode District

3.The Headmaster
Government High School
Singanallur
Perundurai, Erode District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the concerned records relating to the order dated 23.08.2023 in Na.Ka.No.10262/ A4/2022 issued by the 1st respondent and quash the same and consequently direct the 1st respondent to restore the petitioner to his original post of Graduate teacher (Maths) in Government High School, Singanallur, Erode District.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader



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ORDER

This writ petition has been filed challenging the order dated 23.08.2023 in Na.Ka.No.10262/ A4/2022 issued by the 1st respondent, quash the same and consequently direct the 1st respondent to restore the petitioner to his original post of Graduate teacher (Maths) in Government High School, Singanallur, Erode District

2. It is the case of the writ petitioner he was suspended on 25.03.2019 by the first respondent, hence, he filed a writ petition in W.P.No.14718 of 2019 and subsequently he was allowed to join the post. However, thereafter, on the similar issue, he was placed under suspension, which was challenged in W.P.No.396 of 2023. This Court by order dated 27.07.2023, quashed the suspension order and directed to conclude the disciplinary proceedings. Further, it is the grievance of the writ petitioner that on 28.08.2023, the first respondent has passed the impugned order transferring the petitioner to a school, where there are surplus teacher. Hence, this writ petition.

3. The learned Additional Government Pleader, on instructions submitted that as on 31.08.2023, there are no surplus teachers in the Mathematics, where, the petitioner is posted, i.e., Government Boys Higher

Secondary, School, Perundurai.



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4. Such view of the matter, the petitioner challenging the transfer order cannot be entertained. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.09.2023

dhk

Internet : Yes/No

Index : Yes/No

Neutral Citation: Yes/No

To

1.The Chief Educational Officer
Erode, Erode District

2.The District Educational Officer
Perundurai
Erode District

N.SATHISH KUMAR, J.



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