



W.P(MD)No.7492 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7492 of 2023
and
W.M.P.(MD)No.6993 of 2023

S.Murugesan

... Petitioner

Vs.

- 1.The Director of Elementary Education,
DPI Campus, Chennai – 6.
- 2.The Chief Educational Officer,
Tenkasi District.
- 3.The District Educational Officer (Elementary),
Tenkasi, Tenkasi District.
- 4.The Block Educational Officer,
Melaneelithanallur Union,
Tenkasi District.
- 5.The Block Educational Officer,
Sankarankovil Union,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to



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call for the records pertaining to the Impugned Order in Na.Ka.No.694/Aa2/2023 dated 16.02.2023 on the file of the Respondent No.3 and quash the same as illegal and consequently for a direction, directing the Respondent No.3 to transfer the petitioner to the post of Secondary Grade Teacher at Municipal Middle School, Kalaignar Salai, Sankarankovil Municipality, Tenkasi District or in any other vacant or need post within the Parent Union of the Petitioner i.e the Sankarankovil Municipal Unit in accordance with the Government order in G.O.(ID).No.217 School Education (Pa.Ka.5(1)) Department dated 20.06.2019 and the order by this Court in W.P.(MD)No.19520 of 2019 dated 25.11.2019 within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman,
For M/sLajapathi Roy and Associates.

For Respondents : Mr.N.Satheesh Kumar,
Addl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner was originally working as Secondary Grade Teacher in Municipal Middle School, Sanakarankovil Municipal. He was deployed to Government Primary School, Nochikulam,



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Melaneelithanallur Union. He wants re-transfer to the original place.

Paragraph No.6 of the counter affidavit reads as follows:-

“6. As regards grounds (A) and (B), it is submitted that there is no vacancy at all in the Sankarankovil Municipal Schools to take back the petitioner from the present school in which he is working. His request for retransfer to Sanakarankovil Municipal School will be taken up for consideration as and when vacancy arises in the Sankarankovil Municipal Schools, since the petitioner is only one person to consider for transfer to parent union.

4.In view of the stand taken by the respondents, no further order is required in this writ petition. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

27.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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