



W.P.(MD)No.8989 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.8989 of 2020

and

W.M.P.(MD)No.8221 and 8222 of 2020

C.Muthuvannian

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai - 600 009.
2. The Director of School Education,
Office of the Director of School Education,
DPI Campus,
Chennai - 600 006.
3. The Joint Director of School Education (Personnel),
Office of the Joint Director of School Education (Personnel),
DPI Campus,
Chennai - 600 006.
4. The Chief Educational Officer,
Office of the Chief Educational Officer,
Theni,
Theni District.



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5. The District Educational Officer,
Office of the District Educational Officer,
Theni,
Theni District.

6. S.Jeyaram,
Deputy Inspector of School Education,
DEO Office,
Theni,
Theni District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.05090/C2/E1/2018, dated 04.09.2019 on the file of the third respondent and consequently, for a direction directing the third respondent to transfer the petitioner to the post of Deputy Inspector of School Education in the fifth respondent Office on the basis of seniority and spouse working priority in accordance with the Clause 10(xi) of the guidelines for General Transfer Counselling in G.O. (Ms)No.218, School Education Department.

For Petitioners : Mr.J.Aswin Rajasimman

For Respondents : Mr.J.Amjadkhan
Government Advocate for R1 to R5
Mr.K.Appadurai for R6

ORDER

This Writ Petition has been filed to call for the records of the impugned order in Na.Ka.No.05090/C2/E1/2018, dated 04.09.2019 passed by the third respondent and consequently, direct the third respondent to



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transfer the petitioner to the post of Deputy Inspector of School Education in the fifth respondent Office on the basis of seniority and spouse working priority in accordance with the Clause 10(xi) of the guidelines for General Transfer Counselling in G.O.(Ms)No.218, School Education Department.

2. The learned counsel appearing for the petitioner would submit that the petitioner was working as B.T.Assistant (Tamil) at Government Higher Secondary School, Mangalam, Tirupur District and he is a native of Theni District. Hence, he repeatedly made a request to the respondents to transfer him from Tirupur District to Theni District and the same was not considered. While so, the Director of School Education created 52 posts including the post of Deputy Inspector of School Education at Theni District, in which, the Chief Educational Officer, Theni District recommended 16 persons for transfer and appointment of Deputy Inspector of School Education, Theni. However, without considering the names forwarded by the Chief Educational Officer, Theni, the sixth respondent was appointed as Deputy Inspector of School Education. Challenging the same, the present Writ Petition has been filed.



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3. The learned Government Advocate appearing for the official respondents would submit that during the pendency of the Writ Petition, the sixth respondent was transferred to Karur District and in that post, one Suresh Kumar, who was recommended by the Chief Educational Officer along with the petitioner, was appointed as Deputy Inspector of School Education. Hence, nothing survives for further adjudication.

4. Recording the submission made by the learned Government Advocate, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

06.02.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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