



W.P.(MD) No.12390 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) No.12390 of 2023

E.Jebarani Prabha

...Petitioner

Vs

1.The Commissioner of School Education,
O/o. Commissioner of School Education,
DPI Complex,
Nungambakkam,
Chennai.

2.The Joint Director of School Education (Personnel),
DPI Complex,
Nungambakkam,
Chennai.

3.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the Respondents to provide preference to the petitioner while participating in the transfer counselling slated to be held on 26.05.2023 for having denied the opportunity of the petitioner to participate in the transfer counselling for the academic year 2021-2022 and consequently to accommodate the petitioner in any one of



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the available vacancy at Kanyakumari District under the spouse preferential category within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The prayer sought for in the present Writ Petition is a direction to the respondents to permit the petitioner to participate in the counselling scheduled to be held on 26.05.2023 and to provide preference to the petitioner while participating in the transfer counselling.

3. According to the learned counsel for the petitioner, the petitioner would be entitled for priority under clause 2 (d) (viii) of the guidelines issued under G.O.(Ms) No.176 School Education [SE5(1)] Department, dated 17.12.2021, to regulate the transfers and postings of



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Headmasters and Teachers working in Government/Panchayat Union/Municipal Primary/Middle Schools and Government/Municipal High / Higher Secondary Schools.

4. Learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the petitioner would be permitted to participate in the transfer counselling scheduled to be held on 26.05.2023.

5. Recording the said submission of the learned Additional Government Pleader appearing for the respondents, the respondents are directed to permit the petitioner to participate in the transfer counselling to be held on 26.05.2023. If the petitioner is entitled for priority under spouse category, the same shall be made applicable to her.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

25.05.2023

NCC : Yes/No
Index : Yes/No
SJ

Note : Issue copy on 25.05.2023



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M.S.RAMESH,J.

SJ

To

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