



W.P.(MD) Nos.12572 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P(MD)Nos.12572, 12574 and 12575 of 2023

and

W.M.P(MD)Nos.10623, 10628 & 10629 of 2023

S.Jayasheela

... Petitioner in
WP(MD) No.12572/2023

S.Sarala Kumari

... Petitioner in
WP(MD) No.12574/2023S.

A.Joseflin Victor

... Petitioner in
WP(MD) No.12575/2023

-VS-

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government
School Education Department
Fort St. George, Chennai – 600 009.

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

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

... Respondents in



W.P.(MD) Nos.12572 of 2023

all W.Ps.

WEB COPY

4.The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.

... Respondent in
W.P.No.12572/2023

4.The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram

... Respondent in
W.P.Nos.12574&
12575/2023

PRAYER: Petitions filed under Article 226 of the Constitution of India, to issue a Writs of Mandamus, to direct the respondents to provide preference to the petitioners while participating in the transfer counselling slated to be held on 26.05.2023 in conformity with the order made in WA(MD) No.2163 of 2021 batch dated 01.02.2022 and consequently to accommodate the petitioners in any one of the available vacancy at Kanyakumari District taking into consideration of the seniority from the date of petitioners' initial appointment ie., 18.07.2006, 14.07.2006 and 15.07.2006 respectively within the time that may be stipulated by this Court.

For Petitioners : Mr.M.Ajmal Khan
Senior counsel

For Respondents : Mr.A.Kannan
Additional Government Pleader



W.P.(MD) Nos.12572 of 2023

COMMON ORDER

WEB COPY

The petitioners are before this Court with these writ petitions for a direction to the respondents to provide preference to them, while participating in the transfer counselling slated to be held on 26.05.2023 in conformity with the order made in WA(MD) No.2163 of 2021 batch dated 01.02.2022 and consequently to accommodate the petitioners in any one of the available vacancy at Kanyakumari District taking into consideration of the seniority from the date of petitioners' initial appointment ie., 18.07.2006, 14.07.2006 and 15.07.2006 respectively within the time that may be stipulated by this Court.

2. By consent, these writ petitions are taken up for final disposal at the stage of admission itself.

3. Heard the learned senior counsel for the petitioners as well as the learned Additional Government Pleader for the respondents.

4. Earlier when the petitioners had approached this Court by filing WP(MD) Nos.16310 of 2021 etc. batch, the writ Court had observed in



W.P.(MD) Nos.12572 of 2023

WEB COPY

its order dated 24.11.2021 that since the general counselling is yet to be commenced for BRTEs and if the petitioners are not inclined to take part, they can opt for general counselling and they would be given priority at the time of general counselling. Such an observation was confirmed by the Division Bench in its order dated 01.02.2022 in WA(MD) Nos.2163 of 2021 etc., batch. Now, the petitioners apprehend that they would not be given priority in the counselling, which is scheduled to be held on 26.05.2023.

5. In view of the earlier observations made by this Court in the writ petition as well as the writ appeal as observed supra, the petitioners would be entitled for priority at the time of general counselling.

6. With this observation, these writ petitions stand disposed of. No costs. Consequently connected Miscellaneous Petitions are closed.

25.05.2023

NCC : Yes/No

Office to Note: Order Copy today (25.05.2023)itself

RR



W.P.(MD) Nos.12572 of 2023

WEB COPY

To:

- 1.The Principal Secretary to Government
School Education Department
Fort St. George, Chennai – 600 009.
- 2.The Commissioner of School Education,
O/o.the Commissioner of School Education,
DPI Complex,
Nungambakkam
Chennai
- 3.The Joint Director School Education (Personnel)
DPI Complex,
Nungambakkam
Chennai.
- 4.The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.
- 5.The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram



WEB COPY



W.P.(MD) Nos.12572 of 2023

M.S.RAMESH, J.

RR

**W.P.(MD) Nos.12572, 12574
and 12575 of 2023 of 2023**

25.05.2023