



W.P(MD)No.14135 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14135 of 2023

and

W.M.P.(MD)No.11983 of 2023

K.Nelson

... Petitioner

Vs.

- 1.The Principal Secretary to the Government,
School Education Department,
Fort St.George,
Chennai-9.
- 2.The Director of School Education,
DPI Compound,
College Road,
Chennai-600 006.
- 3.The Chief Educational Officer,
O/o. The Chief Educational Officer,
Kanyakumari District.
- 4.The District Educational Officer (Elementary),
O/o. The District Educational Officer,
Nagercoil,
Kanyakumari District.
- 5.Christian Welfare High School,
Represented by its Correspondent,
Thadikarankonam-629 851,



W.P(MD)No.14135 of 2023

Kanyakumari District.

... Respondents

WEB COPY

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in Na.Ka.No.000835/A4/2023, dated 05.06.2023 on the file of the third respondent and quash the same as illegal.

For Petitioner : Mr.T.Aswin Rajasimman
for M/s.Lajapathi Roy & Associates

For Respondents : Mr.N.Satheeshkumar
Additional Government Pleader for R1 to R4

ORDER

Heard the learned counsel on either side.

2. The petitioner is presently working as BT Assistant in the 5th respondent school. He questions the impugned order of deputation. As rightly pointed out by the learned Additional Government Pleader, the deputation is pursuant to the staff fixation. The management sought modification of the staff fixation done by the department. The request of the management was rejected. The management is yet to assail the rejection order.



W.P(MD)No.14135 of 2023

WEB COPY

3. In these circumstances, the petitioner cannot question the impugned order of deputation. At this stage, the learned counsel for the petitioner states that some teachers are about to retire. If that be so, the competent authority is directed to take note of the same and then take decision, if the petitioner can still be considered as surplus teacher.

4. With this direction to the competent authority, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
rmi

To

1.The Principal Secretary to the Government,
School Education Department,
Fort St.George,
Chennai-9.

2.The Director of School Education,
DPI Compound,

3/4



W.P(MD)No.14135 of 2023

College Road,
Chennai-600 006.

G.R.SWAMINATHAN, J.

rmi

- 3.The Chief Educational Officer,
O/o. The Chief Educational Officer,
Kanyakumari District.
- 4.The District Educational Officer (Elementary),
O/o. The District Educational Officer,
Nagercoil,
Kanyakumari District.

W.P(MD)No.14135 of 2023

16.06.2023