



W.P.(MD).No.16190 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16190 of 2023

and

W.M.P(MD)No.13583 of 2023

S.Ganapathikanna

... Petitioner

Vs.

1.The Commissioner,
School Education,
DPI Campus,
Chennai.

2.The Commissioner / Director,
Most Backward and Denotified
Communities Welfare,
Chennai.

3.The Joint Director,
Kallar Reclamation,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent herein to issue no objection certificate (NOC) enabling the petitioner to participate in the unit to unit / departmental transfers by considering the representation made through proper channel in Pa.Na.Ka.No:60/2021-22, dated 03.01.2022 and reminder representation, dated 30.06.2023.



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For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

The present writ petition has been filed seeking direction to the third respondent to issue no objection certificate (NOC) enabling the petitioner to participate in the unit to unit / departmental transfers by considering the representation made through proper channel in Pa.Na.Ka.No:60/2021-22, dated 03.01.2022 and reminder representation, dated 30.06.2023.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate for the respondents and carefully perused the materials available on record.

3. In view of the orders passed by this Court on 13.07.2023 directing the Joint Director, Kallar Reclamation, Madurai to appear before this Court along with the written response with regard to the specific details sought for by this Court on 07.07.2023, today, the concerned Joint Director is present with the details sought for by this Court. Hence, his appearance will be dispensed with.



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4. This is a case where the petitioner has sought for No Objection Certificate from the third respondent / Joint Director so as to facilitate her to participate in the General Transfer Counselling, which is likely to be held shortly. It is mandated by the guidelines framed by the Government of Tamil Nadu to object No Objection Certificate in order to participate in unit to unit transfers. The petitioner being a B.T. Assistant (Maths), is serving in one of the Kallar Reclamation Schools for a long time for the past more than nine years since 2014. Due to her difficult family situations, she is inclined to participate in the General Transfer Counselling, which is likely to be conducted shortly. However, the guidelines of the Government of Tamil Nadu mandates to get a No Objection Certificate from the third respondent to be submitted before the first respondent to permit her to participate in the said counselling and for that purpose, she made a representation, dated 01.03.2022 through the School Head Master concerned and her representation was not considered. Hence, this writ petition came to be filed.

5. In view of filing of this writ petition, the third respondent / Mr.P.Kumar, the Joint Director of Kallar Reclamation, Madurai, who is promptly present before this Court submitted that already the petitioner's case



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has been considered and No Objection Certificate will be issued today. The said submission is recorded and the first respondent is directed to accept the No Objection Certificate issued by the third respondent in favour of the petitioner and permit the petitioner to participate in the transfer counselling, which is likely to be conducted shortly from unit to unit and facilitate the petitioner to participate in the General Transfer Counselling.

6. On 13.07.2023, this Court was inclined to direct the first respondent to postpone the last date of No Objection Certificate from the various candidates and in view of the presence of the Joint Director, Kallar Reclamation, Madurai concerned today and his submission, the said order also stands closed.

7. This writ petition stands disposed of, accordingly. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

14.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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L.VICTORIA GOWRI, J.

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