



W.P.(MD).No.18096 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.18096 of 2023

and

W.M.P(MD)No.15106 of 2023

S.Devi

... Petitioner

Vs.

1.The Chief Educational Officer,
Sivagangai.

2.The Headmistress,
Government Higher Secondary School,
Thamarakki,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to exempt the petitioner from transfer under surplus category based on the petitioner's representation, dated 14.07.2023.

For Petitioner

: Mr.RM.Arun Swaminathan

For R – 1

: Mr.N.Ramesh Arumugam
Government Advocate



W.P.(MD).No.18096 of 2023

ORDER

WEB COPY

The present Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to exempt the petitioner from transfer under the surplus category based on the petitioner's representation, dated 14.07.2023.

2.Heard Mr.RM.Arun Swaminathan, learned counsel appearing for the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the first respondent and perused the materials available on record.

3.The petitioner was appointed as a B.T Assistant (Science) in the second respondent School in the year 2012. In the year 2022, the Director of School Education, vide Circular dated 29.04.2023 made a staff fixation of the students of the second respondent School as on 01.08.2022. Based on the said staff fixation, BT deployment counselling was conducted by the first respondent, subject-wise. In the second respondent School, BT Assistant (English) and BT Assistant (Tamil) are likely to retire on 30.04.2024 and 30.06.2024 respectively. Another PG Assistant (Chemistry) retired on 30.06.2023 and now, she is under an extension period. Hence, there is no surplus as on date.



W.P.(MD).No.18096 of 2023

Anticipating that the petitioner would be transferred on deployment, this Writ Petition came to be filed.

4.The learned Government Advocate appearing for the first respondent, on written instructions, submitted that no deployment with respect to the second respondent's School has been effected till today.

5.Recording the same, this Writ Petition is closed. However, the petitioner is at liberty to challenge if any deployment is effected, in the manner known to law, if she is so advised. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

04.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps
To

- 1.The Chief Educational Officer,
Sivagangai.
- 2.The Headmistress,
Government Higher Secondary School,
Thamarakki, Sivagangai District.

3/4



WEB COPY



W.P.(MD).No.18096 of 2023

L.VICTORIA GOWRI, J.

ps

W.P.(MD)No.18096 of 2023

04.08.2023