



W.P(MD)No.29873 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29873 of 2023

M.Jeyadavadossar

... Petitioner

Vs.

1.The Commissioner of School Education,
Department of School Education,
College Road, Chennai-600 006.

2.The Joint Director of School Education,
Department of School Education,
College Road, Chennai-600 006.

3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Pudukkottai.

4.The Headmaster,
Government Higher Secondary School,
Nagudi,
Pudukkottai District.

5.The Headmaster,
Government Model Higher Secondary School,
Aranthangi,
Pudukkottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 4th



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respondent to relieve the petitioner enabling him to join in the 5th respondent school as per proceedings of the 3rd respondent vide in Na.Ka.No.3092/Aa4/2016, dated 17.07.2023 by considering the representation of the petitioner, dated 04.08.2023.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mr.N.GA.Natraj
Government Advocate

ORDER

The present writ petition has been filed by a Secondary Grade Teacher seeking a Mandamus to relieve him from the 4th respondent school to enable him to join 5th respondent school.

2. According to the learned counsel appearing for the writ petitioner, the 3rd respondent has passed an order of transfer on 17.07.2023 transferring him from the 4th respondent school to the 5th respondent school. However, the Headmaster of the 4th respondent school has not relieved him, so that he could join the 5th respondent school. Hence, the present writ petition.

3. The learned Government Advocate appearing for the respondents pointed out that the petitioner had challenged a charge



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memo, dated 14.06.2016 in W.P(MD)No.15078 of 2022. This Court by an order, dated 10.10.2022 had allowed the writ petition and quashed the charge memo. In the said order, the learned Single Judge had directed the writ petitioner to attend duty in the 4th respondent school regularly.

4. However, according to the learned Government Advocate appearing for the respondents, the petitioner had attended duty only for a period of 3 days and from 13.10.2022 onwards, he neither applied for leave nor attended duty. The Headmaster of the 4th respondent school has sent several complaints to the higher authorities. However, without considering the said complaints, the order of transfer has been issued. Hence, the Headmaster of the 4th respondent has sought for clarification from the 3rd respondent vide proceedings, dated 10.08.2023. However, today the relieving order, dated 18.12.2023 has been handed over to the petitioner.

5. Since the prayer in the writ petition has already been acceded to, no further adjudication is called for. The writ petitioner is directed to join duty in the 5th respondent school immediately. If the Headmaster of the 4th respondent school had any grievance, the same may be escalated to the 3rd respondent in a manner known to law.



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6. With the above said observations, this Writ Petition stands disposed of. No costs.

19.12.2023

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

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To

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R.VIJAYAKUMAR,J.

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Order made in
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