



W.P.No.15653 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.15653 of 2023
and W.M.P.No.15148 of 2023

K.Gajendran

...Petitioner

-Vs-

1. The Joint Director (Personnel)
Directorate of Government Examinations,
DPI Campus, Chennai – 600 006.
2. The Chief Education Officer,
Chief Education Office,
District Collectorate,
Sathuvachari,
Vellore – 632 009.
3. Janakiraman
Village Panchayat President,
Elavambadi Panchayat Office,
Anaicut Road,
Elavambadi,
Vellore – 632 105.
4. Nagendran
President, Parents Teachers Association,
Government High School,
Elavambadi – 632 105.



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5. Damayanthi
President, School Management Committee,
Government High School,
Elavambadi – 632 105

6. Dhanasekar,
BT Assistant (Science)
Government High School,
Elavambadi – 632 105.

7. K.Kumarapandian
DMK Secretary,
Anaicul Block (East),
Poigai Village,
Vellore District – 632 101.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records on the file for the first respondent in Na.Ka.No.10393/C1/E2/2023, dated 27.04.2023 and quash the same as illegal, incompetent and without jurisdiction.

For Petitioner : Mr.V.Srimathi
For Respondents
For R1 & R2 : Mr.S.Rajesh
Government Advocate.

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 27.04.2023, thereby transferring the petitioner from the Government High School, Elavambadi to the Government High Court, Aravatla.



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2. While the petitioner was working as Head Master at the Government High School, Elavambadi, Vellore District, so many complaints were received from the Parent Teacher Association and the School Management Committee against the petitioner. In pursuant to the said complaints, enquiry was conducted by the District Educational Officer, Vellore. In the enquiry the President of the Parent Teacher Association, administrative members, teachers were examined and submitted report. On the strength of the report, the first respondent considering the welfare of the school, transferred the petitioner to the Government High School, Aravatla, Vellore District, on administrative reasons.

3. The learned counsel appearing for the petitioner would submit that only due to intervention of the respondents 3 to 5, the petitioner was transferred. The respondents 3 to 5 pressurized the petitioner to do illegal things for which, the petitioner refused to do and now he is facing the order of transfer. Hence, he prayed to allow this writ petition.



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4. Heard the learned counsel appearing on either side and perused the material placed before this Court.

5. On perusal of the counter filed by the second respondent revealed that it is only administrative transfer on the grounds of misappropriation, administrative deformities, indulging in communal disintegration, non co-operation with the association and committees, mishandling the teachers, showing partiality among the teachers, ill treating the teaching staff, not keeping the conducive atmosphere in the school for teaching and learning, which was brought into light during the enquiry conducted by the District Educational Officer, Vellore.

6. That apart, the petitioner has rifts not only with the public organizations but also with the teaching staff. Especially with financial matters, the petitioner indulged in irregularity. During the enquiry, it was also found that excess fees and donations were collected from the students and public. The petitioner has not maintained the accounts properly and not deposited the donation amount in the Parent Teacher Association account. There is also no proper expenditure statement for the donation collected by him.



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7. Therefore, on these grounds, the petitioner was transferred to the Government High School, Aravatla, Vellore District. That apart, the distance between the Elavambadi and Aravatla is very meager. Further the petitioner was already relived and joined in the Government High School, Aravatla. Therefore, this Court finds no infirmity or illegality in the order passed by the first respondent and the writ petition is devoid of merits and liable to be dismissed.

8. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

30.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts

To

1. The Joint Director (Personnel)
Directorate of Government Examinations,
DPI Campus, Chennai – 600 006.



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rts

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Chief Education Office,
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Vellore – 632 009.
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