



W.P.No.20099 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.20099 of 2024
and
W.M.P. No. 21992 of 2024

B.Maruthan

... Petitioner

Vs

1. The Director of School Education,
College Road,
Chennai – 600 006.
2. The Chief Educational Officer,
Presidency Girls Higher Secondary School Campus,
Egmore,
Chennai – 600 008.
3. The District Education Officer,
Chennai South,
Government Model School Campus,
Saidapet, Chennai – 600 015.
4. The District Education Officer,
Chennai North,
Government Girls Higher Secondary School Campus,
Villiwakkam, Chennai – 600 049.



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5. The Correspondent & Secretary,
Lamech Higher Secondary School,
No. 56, Radhakrishnan Street,
Fathima Nagar, Valasarawakkam,
Chennai – 600 087.

6. The Head Master,
Lamech Higher Secondary School,
No. 56, Radhakrishnan Street,
Fathima Nagar, Valasarawakkam,
Chennai – 600 087.

7. Manian,
Administrative Officer,
Lamech Higher Secondary School,
No. 56, Radhakrishnan Street,
Fathima Nagar, Valasarawakkam,
Chennai – 600 087.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 3 redeploy the petitioner as B.T. Assistant in Tamil in any school other than the Lamech Higher Secondary School, Chennai with continuity of service and all attendant service and monetary benefits by considering the petitioner's representation dated 02.07.2024.

For Petitioner : Mr. R.Prem Narayan

For Respondents : Mrs. P.Rajeswari,
Government Advocate (for R1 to R4)

Mr. M.Thamizhavel (for R5 to R7)



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ORDER

This Writ Petition has been filed to direct the respondents to redeploy the petitioner as a B.T. Assistant in Tamil in any school other than the fifth to seventh respondents/School.

2. Heard the learned counsel for both sides and perused the materials placed on record.

3. The petitioner was appointed as Physical Education Teacher at Avichi Higher Secondary School, Virugambakkam, Chennai on 28.03.2007. Subsequently, he was appointed as B.T. Assistant in Tamil at the same school. While that was so, as per the order passed by the second respondent dated 30.05.2024, the post of the petitioner was declared surplus, and the petitioner was posted to the sixth respondent's school. When the petitioner reported for duty on 10.06.2024, the fifth to seventh respondents did not permit him to join duty. Therefore, the petitioner submitted a representation to the second respondent to post him in some other school.



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4. The learned Government Advocate appearing for the first to fourth respondents, on instructions, states that there is no vacancy in Chennai District. In that regard, the learned counsel for the petitioner submitted that the petitioner may be posted as B.T. Assistant in Tamil in any other district.

5. In view of the above submissions, the first respondent is directed to redeploy the petitioner as B.T. Assistant in Tamil in any one of the schools with an available vacancy near Chennai District, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that the first to fourth respondents shall not deny the petitioner's salary for the non-working period.

6. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

01.08.2024

Index:Yes/No
Neutral Citation/Yes/No
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