



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.Nos.26654, 26684, 26686, 26689, 26674 and 26657 of 2024
and WMP Nos.29209, 29197, 29177, 29175, 29198, 29205, 29206, 29212, 29171,
29172, 29211 and 29208 of 2024

W.P.Nos.26564 of 2024

R.Revathi

... Petitioner

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 3.
- 2.The Joint Commissioner (Education)
Greater Chennai Corporation,
Ripon Building, Chennai – 3.
- 3.The Deputy Commissioner (Education)
Greater Chennai Corporation,
Ripon Building, Chennai – 3.
- 4.The Educational Officer,
Education Department,
Greater Chennai Corporation,
Ripon Building, Chennai – 3.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records relating to the impugned order issued by the 3rd respondent in Ka.Thu.Na.Ka.No.E4/8041/2024 dated 15.07.2024 (common order) and the consequential individual order issued by the 3rd respondent in Ka.Thu.Na.Ka.No.E4/8041/2024 dated 15.07.2024 and to quash the same.

For Petitioner : Mr.G.Sankaran
Senior Counsel for
Mr.S.Nedunchezhiyan

For Respondents : Mrs.K.Aswinin Devi
Standing Counsel for R1 to R4

ORDER

All these writ petitions challenge the order of transfer passed by the 3rd respondent and the consequential order issued by the 3rd respondent.

2.Heard Mr.G.Sankaran, learned Senior Counsel appearing on behalf of the petitioners and Mrs.K.Aswinin Devi, learned Standing Counsel appearing on behalf of the respondents.

3.The case of the petitioners is that the respondent Corporation conducted 'deployment counselling' as well as 'general transfer of counselling' in the month of



June 2024. Some of the participants raised some queries during the counselling session. It is contended by the petitioners that since questions were raised by the petitioners, the present transfer order has been passed against the petitioners. Therefore according to the petitioners, the present transfer order is punitive in nature and that the petitioners have been victimized in this case for having raised their voice.

4. In the considered view of this court, on carefully going through the transfer order, it is seen that the transfer has been made only on administrative grounds. In any case, the petitioners have not been sent to any far off places and they have been transferred only to the nearby Schools. This Court does not find any strong materials to sustain the plea of punitive or malafide transfer. In view of the same, this Court is not inclined to interfere with the order of transfer passed by the 3rd respondent.

5. All the petitioners have already made representations to the 3rd respondent requesting to retain them in the same School where they were working. The same was not considered.



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6. In the light of the above discussion, the petitioners are directed to first go and join the School to which they have been transferred. This direction shall be complied by the petitioners, within a period of one week from today. After joining the transferee School, it is left open to each of the petitioner to make individual representations to the 3rd respondent requesting for retaining them in the same School where they were working. On receipt of the representation, it is left open to the 3rd respondent to deal with the same on its own merits and in accordance with law and take a decision, within a period of four weeks thereafter.

7. All these writ petitions are disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

10.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

Note: Issue Order Copy on 13.09.2024



To

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Ripon Building, Chennai – 3.
2. The Joint Commissioner (Education)
Greater Chennai Corporation,
Ripon Building, Chennai – 3.
3. The Deputy Commissioner (Education)
Greater Chennai Corporation,
Ripon Building, Chennai – 3.
4. The Educational Officer,
Education Department,
Greater Chennai Corporation,
Ripon Building, Chennai – 3.



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N. ANAND VENKATESH, J.

SSR

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