



W.P.(MD).No.5007 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.5007 of 2024

and

W.M.P.(MD).No.4792 of 2024

Ebenezer Jebakumari

... Petitioner

VS

1. The Directorate of School Education,
School Education Department, DPI Complex,
Chennai.

2. The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.

3. The District Educational Officer,
Tirunelveli Educational District,
Tirunelveli.

4. The Correspondent,
Mary Sargent Girls Higher Secondary School,
Palayamkottai,
Tirunelveli District.



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5. The Bishop,
CSI Diocese of Tirunelveli,
High Ground Road, Palayamkottai-627 002,
Tirunelveli District.

6. Little Gracia

7. The Manager,
TDTA Higher Secondary Schools,
CSI Diocese Office, Palayamkottai,
Tirunelveli District.

*(R7 is suo motu impleaded vide Court order
dated 04.03.2024 in W.P.(MD).No.5007/2024 by LVGJ)*

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent made in Na.Ka.No. 1216/A4/2022 dated 16.03.2023 and quash the same and further directing the respondents 1 to 3 to approve the transfer of the petitioner to the 4th respondent School with effect from 21.07.2017 and pay the arrears of salary.

For Petitioner	: Mr.R.Maheswaran
For Respondent Nos.1 to 3	: Mr.N.Satheesh Kumar Additional Government Pleader
For Respondent No.6	: Mr.K.K.Udayakumar



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ORDER

The instant writ petition has been filed by a Secondary Grade Teacher working in one of the school of CSI Diocese of Tirunelveli, challenging the order passed by the second respondent dated 16.03.2023, wherein, the request of the petitioner to approve her transfer order from Sara Tucker School to Mary Sargent School has been rejected.

2. On 03.08.2021, the management has chosen to pass another transfer order, transferring the writ petitioner from Mary Sargent school to Schaffter School. The petitioner has accepted the said order of transfer and joined in the Schaffter school immediately. However, the salary has not been paid to the writ petitioner from August 2021 onwards, on the ground that the said transfer is yet to be approved by the authorities. Since, the writ petition has been filed challenging the rejection of approval of transfer of the writ petitioner from Sara Tucker School to Mary Sargent School no longer survives. Hence, this writ petition stands closed with a liberty to the petitioner to initiate appropriate independent proceedings to claim salary for the period between 22.07.2017 to 03.08.2021.



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3. With the above said observations, this writ petition stands closed.

No costs. Consequently, connected miscellaneous petition is closed.

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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