



W.P.(MD).No.6527 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.6527 of 2024

and

W.M.P.(MD) Nos.6110 and 13370 of 2024

N.Vijayakumar

... Petitioner

Vs.

1. The Secretary to Government,
Department of Backward Classes Welfare,
Secretariat,
Saint George Fort,
Chennai – 600 009.
2. The Commissioner,
Most Backward and Denotified Communities
Welfare Department,
Ezhilagam,
Chennai – 600 005.
3. The Joint Director,
Kallar Reclamation,
Madurai, Madurai District – 625 020.
4. M.Mohamed Mujmil,
Post Graduate Teacher,
Government Kallar Higher Secondary School,
Muthanampatti,
Theni District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of counselling for the post of Post Graduate Teachers in proceeding in Na.Ka.No.H.1/13546/2023, dated 12.03.2024 on the file of the third respondent and to quash the same and to direct the third respondent to conduct counselling after correcting the seniority list of the petitioner.

For Petitioner : Mr.G.Chandrasekar
For R1 to R3 : Mr.N.Satheesh Kumar
Additional Government Pleader
For R4 : Mr.S.M.A.Jinnah

ORDER

The present Writ Petition has been filed by a P.G. Assistant Teacher working in Government Kallar Higher Secondary School, challenging the transfer counselling declared under Notification dated 12.03.2024.

2. The grievance of the writ petitioner is that the fourth respondent has been placed ahead of him in the seniority. Though the fourth respondent has not completed three years in a particular station, he has been placed ahead of him on the ground that he is a disabled person.



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3. Convinced with the submissions of the learned counsel appearing for the writ petitioner, this Court has granted interim orders on 15.03.2024 and therefore, transfer counselling was not conducted.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 brought to the notice of this Court that pending writ petition, G.O.(Ms) No.55 of Backward Classes, Most Backward Classes and Denotified Communities and Minorities Welfare (bw3(1) Department, dated 14.07.2023 has been issued wherein priority granted to disabled persons has been superseded by another Government Order in G.O.(Ms) No.65, dated 19.08.2024. Now, it is the case of the State that a new transfer counselling seniority list will be prepared as per G.O.(Ms) No.65, dated 19.08.2024 and they will conduct a counselling on the basis of the new seniority list.

5. In view of the above said facts, the grievance of the writ petitioner has been redressed and therefore, nothing survives to be adjudicated in this writ petition.



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6. Recording the above said facts, this Writ Petition stands disposed of.

There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

25.09.2024

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

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Chennai – 600 009.
2. The Commissioner,
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