



W.P.(MD)No.6959 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM:

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.6959 of 2023
and WMP(MD).Nos.6564 & 6565 of 2023

Ramesh

... Petitioner

Vs.

1.The Director of Adi Dravidar Welfare
Chennai

2.Ilaiyarani
Headmaster
Government Adi Dravidar Welfare Primary School
Paraliputhur
Dindigul District

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records relating the impugned transfer order issued by the first respondent by its proceedings in Na.Ka.No.R1/906/2023 dated 08.03.2023 and quash the same as illegal and consequently direct the first respondent to transfer the petitioner to the post of Headmaster, Government Adi Dravidar Welfare Primary School,



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K.Ramanathapuram, Dindigul within the period that may be stipulated by this Court.

For Petitioner : Mr.M.E.Ilango

For Respondents : Mr.J.Ashok
Additional Government Pleader- R1

: Mr.Aswin Rajasiman
for Mr.S.Lenin Prabu -R2

ORDER

The instant writ petition has been filed by the Headmaster of Primary School challenging the order of transfer in favour of the second respondent herein.

2.According to the writ petitioner, he had given a representation dated 26.12.2022 for transferring himself to Government Adi Dravidar Welfare Primary School at K.Ramanathapuram in Dindigul District. Since the said representation was not considered, the petitioner had filed WP(MD).No.3736 of 2023 before this Court. This Court by an order dated 23.02.2023 had directed the authorities to consider the representation of the petitioner and pass appropriate orders.



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3. According to the learned Additional Government Pleader, the said request has been considered the rejected.

4. Now it is the grievance of the writ petitioner that the second respondent has been accommodated in the said School on medical grounds. The impugned order has been passed without conducting Transfer Counselling. Therefore, according to the petitioner, the powers have been exercised in a malafide manner and the request of the petitioner ought to have been considered.

5. Per contra, the learned counsel appearing for the private respondent as well as the official respondent had contended that the second respondent was considered for being transferred for K.Ramanathapuram at Dindigul District only on medical condition expressed by the second respondent. The petitioner is already working in the same District and therefore, the request of the petitioner could be considered, when he participates in the next transfer counselling.



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6.In view of the above said facts, the writ petition is disposed of with liberty to the petitioner to participate in the next Transfer Counselling to get accommodated in the place of his choice. No costs. Consequently, connected miscellaneous petitions are closed.

11.09.2024

Index : Yes/No
Internet : Yes/No
NCC: : Yes/No
msa

To

The Director of Adi Dravidar Welfare
Chennai



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R.VIJAYAKUMAR, J.

msa

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