



WP(MD) No.10046 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.10046 of 2024

and

W.M.P(MD)No.9080 of 2024

A.Mathalaimuthu

... Petitioner

Vs.

1.The Director of School Education,
Chennai – 6.

2.The Chief Educational Officer
Pudukkottai,
Pudukkottai District.

3.The Correspondent,
Punitha Arockia Annai Higher Secondary School,
Keeranur,
Pudukkottai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus forbearing the respondent No. 2 from transferring the petitioner on deployment from the 3rd respondent school to any other school without revising the staff fixation order for the year 2023-24 in respect of B.T. Assistant in Social Science.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.M.Siddharthan - for R1 & R2
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking a Writ of Mandamus to forbear the respondent No.2 from transferring the petitioner on deployment from the third respondent school to any other school without revising the staff fixation order for the year 2023-24 in respect of B.T. Assistant in Social Science.



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2. Heard Mr.T.Aswin Raja Simman, learned counsel for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader for the respondents 1 and 2.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner is working as a B.T Assistant in the third respondent school and has an apprehension that he might be transferred on deployment as how it occurred to him during last academic year. So the petitioner has filed this writ Petition stating that without fixing the staff strength for the academic year 2023-2024, the petitioner should not be disturbed once again on the pretext of deployment.

5. It is seen that the petitioner had suffered on deployment during last academic year and that came to be



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subsequently cancelled on 06.07.2023. But, so far, no staff fixation has been done for the academic year 2023-2024. If the petitioner once again is transferred on the ground of surplus, he would suffer irreparable loss.

6. However, it is for the third respondent to take appropriate steps and have communication with the respondents 1 and 2 to come out with the staff strength fixation for the academic year 2023-2024.

7. It is learnt from Mr.M.Siddharthan, learned Additional Government Pleader, on instruction that the staff fixation has been done for the academic year 2023-2024 as well. In case, the petitioner cannot have any grievance on staff fixation and further he does not have the right to challenge the same, it is for the management to handle the issue.



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8. However, the petitioner is at liberty to give a representation through his management and work out his remedy, if any.

9. With the above observation, this Writ Petition is **disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

24.04.2024

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

RM



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To
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- 1.The Director of School Education,
Chennai – 6.
- 2.The Chief Educational Officer
Pudukkottai,
Pudukkottai District.



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.10046 of 2024

24.04.2024