



WP(MD)No.12817 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.12817 of 2019

and

WMP(MD)No.9548 of 2019

S.Nambi Nachiyar

.. Petitioner

v.

1.The Director of Elementary School Education,
DPI Complex, Nungambakkam,
Chennai.

2.The Chief Educational Officer,
Tirunelveli.

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

4.The Block Educational Officer,
Kalakad, Tirunelveli District.

5.Sahaya Rani

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
seeking issuance of a Writ of Certiorarified Mandamus calling for the



WP(MD)No.12817 of 2019

records relating to the impugned order passed by the third respondent in Na.Ka.No.116/A1/2019 dated 12.01.2019, quash the same and consequently, directing the respondents 1 to 4 to retain the petitioner as Special Grade in the post of Secondary Grade Teacher in the primary school.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.K.Balasubramani,
Special Government Pleader
for R.1 to R.4

No appearance for R.5

ORDER

The petitioner, a Secondary Grade Teacher working in Panchayat Union Middle School, Ervadi, was transferred and posted as an Anganvadi Worker for teaching the Kinder Garden Students. Challenging the same, the petitioner has filed this writ petition.

2.When the writ petition came up for hearing, learned Special Government Pleader, on instructions, submitted that as per G.O.Ms.No.231,



WP(MD)No.12817 of 2019

School Education Department, dated 11.08.2010, the Government has taken a policy decision to debut the surplus teachers to the Anganwadi Centres for teaching Kinder Garden Students and accordingly, the petitioner was deployed. However, he further submitted that the said Government Order has been withdrawn by the Government and consequently, the petitioner has been reverted to her original place of posting. Therefore, nothing survives for further adjudication in this writ petition.

3.It is not known as to how a Teacher, with a qualification for taking higher classes and drawing higher pay, shall be deputed for Anganwadi Centre. This Court fails to understand the basis on which such deputation was made. On the one hand, approvals for appointments were made by the Department unmindful of the Teacher – Student Ratio and on the other hand, the very same Department, by terming these appointments as surplus, deposes the excess Teachers to such Anganwadi Centres. Had the Department acted vigilantly at the approval stage itself, this situation could have been averted.



WP(MD)No.12817 of 2019

4.Be that as it may, since it is now reported that the Government Order, based on which such deputation has been made itself, has been withdrawn and that the petitioner has been reverted back to her original place of posting, this writ petition stands closed as no further order is required to be passed.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

09.12.2024

NCC : Yes / No

gk

To

1.The Director of Elementary School Education,
DPI Complex, Nungambakkam,
Chennai.

2.The Chief Educational Officer,
Tirunelveli.

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

4.The Block Educational Officer,
Kalakad, Tirunelveli District.



WEB COPY



WP(MD)No.12817 of 2019

B.PUGALENDHI, J.

gk

WP(MD)No.12817 of 2019

09.12.2024