



WP(MD) No.11393 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.11393 of 2024

and

WMP(MD)Nos.10123 and 10126 of 2024

M.Umadevi

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.

2. The Director of Elementary Education,
DPI Complex,
College Road,
Chennai - 600 006.



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3. The District Educational Officer,
O/o. The District Educational Office,
Karur District.

4. The Block Educational Officer,
O/o. The Block Educational Office,
Karur Block,
Karur District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the 2nd respondent vide his proceedings in Na.Ka.No.020254/E1/2023 dated 23.04.2024 and quash the same as illegal in so far as placing the list including the petitioner at S.No.2 is concerned within the period that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associate

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For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

The present writ petition has been filed seeking a Writ of Certiorari challenging the impugned proceedings of the 2nd respondent in Na.Ka.No.020254/E1/2023 dated 23.04.2024 in so far as placing the petitioner at Sl.No.2 is concerned within a specific time.

2. Heard Mr.H.Mohammed Imran, learned counsel appearing for the petitioner and Mr.T.Amjadkhan, learned Government Advocate appearing for the respondents.

3. The petitioner who was deployed in the year 2022 has challenged the subsequent order of the second respondent dated 23.04.2024 directing the petitioner to deploy to some other school.



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The limited point raised by the learned counsel for the petitioner is that as per the G.O.Ms.176 School Education (SE5(1) Department dated 17.12.2021, the Teacher once deployed shall not be deployed again for the next three academic years. In such case, the concerned Teacher should show the evidence to get exempted from further deployment. However, if the teacher is willing, they will be allowed to take part in the counselling during the subsequent year.

4. Mr.T.Amjadkhan, learned Government Advocate for the respondents submitted that the petitioner does not fall under the category of surplus Teacher for deployment but she has been transferred from the current school to some other school in view of the abolition of LKG and UKG, at Panchayat Union Primary School, Vankapalayam.

5. However, the learned counsel for the petitioner drew the attention of this Court to the proceedings dated 28.02.2022



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wherein the petitioner has been shown as surplus and only thereafter she has been transferred to the current school in the same Union. Even in the guidelines for deployment, it has been stated that if a Teacher shows evidence to get exempted from further deployment and if she is not willing to participate in the counselling, the said Teacher shall not be deployed again for the next three academic years.

6. In the present case, the petitioner herself is not willing to participate in the counselling and she has also shown evidence that she has been deployed again within three years from the earlier deployment made in the year 2022. The said deployment is against the guidelines prescribed in G.O.Ms.176 School Education (SE5(1) Department dated 17.12.2021 and hence the impugned order is liable to be set aside.



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7. In view of the above said reasons the impugned order of the second respondent is set aside and this writ petition stands allowed accordingly. No Costs. Consequently, connected miscellaneous petitions are closed.

11.06.2024

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

Note: Issue order copy on 12.06.2024.

To

1. The Secretary to Government,
The State of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai - 600009.

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2. The Director of Elementary Education,
DPI Complex,
College Road,
Chennai - 600006.

3. The District Educational Officer,
O/o. The District Educational Office,
Karur District.

4. The Block Educational Officer,
O/o. The Block Educational Office,
Karur Block,
Karur District.



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R.N.MANJULA, J.

PJL

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