



WP(MD) No.11817 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.11817 of 2024
and
W.M.P(MD)No.10547 of 2024

V.Malathi

... Petitioner

Vs.

1.The District Collector, Madurai
cum the President of Bala Mandhiram
Higher Secondary School,
Madurai - 625014.

2.The Chief Educational Officer,
The Chief Educational Office,
Tallakulam,
Madurai - 625002.



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3.The District Educational Officer,
The District Educational Office,
Melur,
Madurai District.

4.The Secretary,
Bala Mandhiram Higher Secondary School,
Madurai – 625 014.

5.The Headmistress,
Bala Mandhiram Higher Secondary School,
Madurai – 625 014.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 30.05.2024 passed in Na.Ka.No.7202/A5/ dated 30.05.2024 of the office of the second respondent and also the consequential order dated 31.05.2024 issued by the fourth respondent and quash the same and also to pass a direction to the respondents 1 to 4 to



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retain the petitioner in the same posting in Bala Mandhiram Higher Secondary School as a senior most graduate teacher in Mathematical department.

For Petitioner : Mr.V.Nagendran

For Respondents : Mr.M.Siddharthan

Additional Government Pleader

for R.1 to R.3

ORDER

The present writ petition has been filed seeking a Writ of Certiorarified Mandamus, to quash the impugned order dated 30.05.2024 passed in Na.Ka.No.7202/A5/ dated 30.05.2024 of the office of the second respondent and also the consequential order dated 31.05.2024 issued by the fourth respondent and also to pass a direction to the respondents 1 to 4 to retain the petitioner in the same posting in Bala Mandhiram Higher Secondary School as a senior most graduate teacher in Mathematical department.



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2. Heard Mr.V.Nagendran learned counsel for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents 1 to 3.

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

4.The petitioner, who was working in the fifth respondent school was deployed to MAVMM Higher Secondary School, Yanaikkal, Madurai on the ground of surplus teachers available in the fifth respondent school.

5. The petitioner claims that there are juniors available, but the petitioner has been disturbed due to deployment. Attention was drawn to G.O(Ms)No.176, School Education [SE5(1)], dated 17.12.2021, wherein, one of the criteria prescribed for deployment reads as under :



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“v) If a teacher is in charge of the NCC Unit in a school, the said teacher shall be allowed to continue in the same station. Thereby the immediate next junior teacher in the same cadre (same subject) will be deployed.

vi) the deployment of surplus teacher will be based on their initial date of jointing in the teacher service. If the date of joining in the service is same, Date of Birth (DOB may be the deciding factor.”

6. The petitioner claims that there are juniors available in the petitioner’s school and hence, the impugned order should be set aside and the petitioner to be resent to the fifth respondent school itself.

7. In the event of setting aside the impugned order and directing any of the junior teachers to be deployed, that would be an order as against another individual who has not been added as a party to the proceedings. So at the best, the petitioner can give a



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representation clarifying her seniority, if the petitioner believes that there are other teachers available in the school who are junior to her, on considering her representation for resending her to the fifth respondent school.

8. With the above observation, the Writ Petition stands **disposed of**. No costs. Consequently, connected Miscellaneous Petition is closed.

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

RM



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Madurai – 625002.
- 3.The District Educational Officer,
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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.11817 of 2024

Dated:
06.06.2024