



WP(MD) No.12152 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.12152 of 2024

and

W.M.P(MD)Nos.10781 & 10782 of 2024

M.Selvi

... Petitioner

Vs.

1.The Chief Educational Officer

Tirunelveli,

Tirunelveli District.

2.The District Educational Officer (Secondary),

Tirunelveli,

Tirunelveli District.

3.R.Prathiba

BT Assistant (Maths),

Government Girls Higher Secondary School,

Eruvadi,

Tirunelveli District.



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4. Sagaya Eugene Santhi

Government Girls Higher Secondary School,
Eruvadi,
Tirunelveli District.

...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 of the 1st respondent herein in Na.Ka.No. 6357/A2/2023 dated 03.06.2024 and quash the same in so far as petitioner alone and consequently direct the respondents 1 and 2 herein to deploy either 3rd or 4th respondent herein to the needed school.

For Petitioner : Mr.T.Pon Ramkumar

For Respondents : T.Amjad Khan – for R1 & R2

Government Advocate

ORDER

The petitioner has filed this writ petition seeking for a Writ of Certiorarified Mandamus calling for the records of the 1st respondent herein in Na.Ka.No.6357/A2/2023 dated 03.06.2024 and quash the same



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in so far as petitioner alone and consequently direct the respondents 1 and 2 herein to deploy either 3rd or 4th respondent herein to the needed school.

2. Heard Mr.T.Pon Ramkumar, learned counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate appearing 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 who has been deployed on the ground of surplus has filed this writ petition seeking to call for the records relating to the impugned order in Na.Ka.No.6357/A2/2023 dated 03.06.2024 on the file of the first respondent and quash the same as illegal and direct the respondents not to transfer the petitioner on deployment without considering the objection of the petitioner.



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5. The petitioner has stated that there is no surplus Teacher available in the petitioner's school and hence, the petitioner shall not be disturbed now. The contention of the petitioner is that there are more juniors than the petitioner and without disturbing the junior most persons, the petitioner is directed to attend the counselling. The petitioner is working as a B.T Assistant (Maths) in Government Girls Higher Secondary School, Eruvadi, Tirunelveli District. For the year 2023-2024, the sanctioned post in the B.T Assistant (Maths) is four and one post is declared as surplus.

6. The learned Government Advocate submitted that the petitioner is the junior most person in B.T Assistant (Maths), even though there are juniors available in the post of B.T Assistant (English). When the post is identified in a particular subject, i.e., B.T Assistant posts, the petitioner cannot compare herself with the other juniors who are also B.T Assistant posts, but for different subjects. The writ petition itself is a misconceived one.



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7. Hence, the writ petition is **dismissed**. No costs.

Consequently, connected miscellaneous petitions are closed.

10.06.2024

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

RM

To

1.The Chief Educational Officer
Tirunelveli,
Tirunelveli District.

2.The District Educational Officer (Secondary),
Tirunelveli,
Tirunelveli District.



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.12152 of 2024

Dated:
10.06.2024