



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.14697 of 2023

and

W.M.P(MD)Nos.12402 & 12403 of 2023

J.Barakath Alima

... Petitioner

Vs.

1.The Chief Educational Officer,
O/o.the Chief Educational Office,
Ramanathapuram,
Ramanathapuram District.

2.The District Educational Officer,
O/o.the District Educational Office,
Mandapam, Ramanathapuram,
Ramanathapuram District.

3.The Correspondent,
Hameediah Higher Secondary School,
Kilakarai,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, to call for the records relating to 1st respondent vide his impugned proceedings in Na.Ka.No.4519/A6/2023, dated 09.06.2023 and quash the same.



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

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R1 & R2
No appearance for R3

ORDER

The instant writ petition has been filed by a BT Assistant(Tamil) Teacher, working in the third respondent school, challenging the order of deployment of one C.Palani Selvam to the third respondent school as BT Assistant(Tamil).

2.According to the learned Counsel appearing for the writ petitioner, since the proposal of the appointment of the writ petitioner was not approved, they have filed W.P.(MD)No.9456 of 2020 and the same was allowed by this Court on 02.09.2022. Challenging the same, the State has filed W.A.(MD)No. 1840 of 2023, which was dismissed by the Hon'ble Division Bench of our High Court on 18.10.2023. The order of the Hon'ble Division Bench is yet to be complied with and contempt petition is said to be pending.



3.In the light of the above said facts, it is clear that the respondent authorities, without complying the order of the Hon'ble Division Bench are attempting to redeploy one C.Palani Selvam from Seiyathu Ammal Higher Secondary School, Ramanathapuram District to the third respondent school.

4.In view of the above said facts, this Court is inclined to pass the following orders:-

a) the order impugned in the writ petition dated 09.06.2023 is hereby set aside;

b) The respondent authorities are directed to implement the order of the Hon'ble Division Bench in W.A.(MD)No.1840 of 2023, dated 18.10.2023, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above said observations, this writ petition stands allowed to the extent as stated above. No costs. Consequently, connected miscellaneous petitions are also closed.

18.09.2024

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



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To

1.The Chief Educational Officer,
O/o.the Chief Educational Office,
Ramanathapuram,
Ramanathapuram District.

2.The District Educational Officer,
O/o.the District Educational Office,
Mandapam, Ramanathapuram,
Ramanathapuram District.



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R.VIJAYAKUMAR, J.

RJR

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