



W.P.(MD).No.18526 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.18526 of 2024

and

W.M.P.(MD)No.15738 of 2024

M.Muthulakshmi

Vs

...Petitioner

- 1.The Principal Secretary to the Government,
School Education Department,
Fort St.George,
Chennai – 9.
- 2.The Director of School Education,
DPI Compound,
College Road,
Chennai – 600 006.
- 3.The Joint Director of School Education (Higher Secondary),
Directorate of School Education,
DPI Compound,
College Road,
Chennai – 600 006.
- 4.The Chief Educational Officer,
Office of the Chief Educational Officer,
Thoothukudi District.



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5. The Chief Educational Officer,
Office of the Chief Educational Officer,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Declaration, to declare the inter district general transfer counselling conducted in respect of P.G.Assistants on 24.07.2024 and 25.07.2024 as illegal insofar as not showing the P.G.Assistant Commerce vacancy at Government Higher Secondary School, Johilpatti, Virudhunagar District and to issue transfer to the petitioner in the post of P .G.Assistant Commerce at Government Higher Secondary School in view of the petitioner's seniority within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman

For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

Heard Mr.T.Aswin Rajasimman, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents.

2. This Writ Petition has been filed seeking to declare the inter district general transfer counselling conducted in respect of



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P.G.Assistants on 24.07.2024 and 25.07.2024 as illegal insofar as not showing the P.G.Assistant Commerce vacancy at Government Higher Secondary School, Johilpatti, Virudhunagar District and to issue transfer to the petitioner in the post of P .G.Assistant Commerce at Government Higher Secondary School in view of the petitioner's seniority.

3. The petitioner, who is the native of Virudhunagar District, is presently working as P.G.Assistant Commerce at the Government Higher Secondary School, Boothalapuram, Thoothukudi District. When the general transfer counselling was conducted on 24.07.2024 and 25.07.2024, the petitioner participated and she could not chose any place of her choice, as no appropriate places were available. But the petitioner's contention is that there was one vacancy of P.G.Assistant Commerce in Government Higher Secondary School, Johilpatty, Virudhunagar District. Had it been listed, the petitioner would have chosen it as her option and got her posting there.

4. Mr.T.Aswin Rajasimman, learned counsel for the petitioner submitted that the above vacancy has already been filled up even prior to the counselling based on the request and administrative contingencies. If



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earlier transfer order has been passed and available vacancy has been filled up based on request, that could not have been passed before the counselling. Only in view of such orders being passed without following the transfer guidelines, these kinds of litigations are cropping up. However, it is learnt that the petitioner has given a representation to the respondents 2 and 3 on 27.07.2024 to post her in any one of the available vacancy in Virudhunagar District.

5. In view of the same, this Writ Petition is **disposed of** with a direction to the second respondent to consider the request of the petitioner to post her in any of the available vacancy in and around Virudhunagar District, and pass orders as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

02.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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R.N.MANJULA, J.

Nsr

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