



W.P.(MD).No.19385 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.19385 of 2024

N.Thileepan

... Petitioner

Vs.

1. The Director of School Education,
DPI Campus,
Chennai.
2. The Commissioner/Director,
Most Backward and Denotified Communities,
Welfare Department,
Chennai.
3. The Joint Director,
Kallar Reclamation,
Madurai.
4. The Headmaster,
Government Kallar Higher Secondary School,
Karunakkamuthanpatti,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent herein to issue “No Objection Certificate” (NOC) to get mutual transfer from the fourth respondent Kallar Reclamation School to any



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Government High School or Higher Secondary School at School Education Department in terms of Clause 4(i) of the G.O.(Ms) No.73, dated 25.08.2022 issued by the Principal Secretary to Government, Backward Classes, Most Backward Classes and Minorities Welfare Department by considering the petitioner's representation dated 27.09.2023 made through proper channel within a time stipulated by this Court by enabling the petitioner to participate in the unit to unit/departmental transfers proposed to be scheduled for the year 2024-2025.

For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The present Writ Petition has been filed by a B.T.Assistant (Science) Teacher working in Government Kallar Higher Secondary School seeking a Mandamus as against the second respondent herein to issue “No Objection Certificate” to get mutual transfer from his school to any other Government High School or Higher Secondary School, based upon G.O.(Ms) No.73, dated 25.08.2022, issued by the Principal Secretary to Government, Backward Classes, Most Backward Classes and Minorities Welfare Department, by considering the petitioner's representation, dated 27.09.2023.



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2. The petitioner, who was working as a B.T.Assistant (Science) in Government Kallar Higher Secondary School has made a request to the second respondent herein seeking transfer to any other Government High School or Government Higher Secondary School, through his representation dated 27.09.2023 to the second respondent herein through proper channel. Since the said representation yet to be considered, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. Considering the above said facts, the second respondent herein is directed to consider the representation of the writ petitioner dated 27.09.2023, in the light of G.O.(Ms) No.73, Backward Classes, Most Backward Classes and Minorities Welfare Department, dated 25.08.2022, and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs.

13.08.2024

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

1. The Director of School Education,
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Chennai.
2. The Commissioner/Director,
Most Backward and Denotified Communities,
Welfare Department,
Chennai.
3. The Joint Director,
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R.VIJAYAKUMAR,J.

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