



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 21716 of 2018

and WMP.No. 25487 of 2018

P. Sakthivel

..Petitioner

Vs

**1.Government of Tamil Nadu
Rep by Secretary to the Government
School Education Department,
Fort St. George, Chennai-9.**

**2.The Director of School Education
College Road, Chennai-6.**

**3.The State Project Director
Integrated School Education Project
Directorate of State Project, Chennai-6.**

**4.The Joint Director of School Education (Personnel)
College Road, Chennai-6.**

**5.The Chief Educational Officer
Erode District,
Erode.**

..Respondents



Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to follow the rank assigned by the Teachers Recruitment Board as basis for seniority, for transfer on surplus, as in the case of promotion and conversion and pass such other further orders.

For Petitioner : M/s. R. Saseetharan

For Respondents : Mrs.P.Rajarajeswari, G A

The petitioner, who is working as a Block Resource Teacher Educator (BRTE) in Tiruppur District, is before this Court challenging the proceedings dated 09.02.2018, whereby a decision was taken to follow station seniority for the purpose of transfer of Block Resource Teacher Educators through departmental counseling.

2. The learned State Counsel placed on record G.O.(1D) No.134, School Education (Pa.Ka.5(1)) Department, dated 18.08.2021, by which guidelines were framed to consider Statewide seniority for the purpose of transfer of Block Resource Teacher Educators through counseling.



3. The said Government Order was challenged before the Madurai Bench of this Court in W.P.(MD) No.19294 of 2021 and connected cases, which were dismissed by order dated 24.11.2021. Aggrieved writ petitioners carried the matter in appeal in W.A.(MD) No.2230 of 2021 and batch cases. This Court, by order dated 07.11.2023, dismissed the writ appeals, observing inter alia that an employee is liable to be transferred to any place and post; a post cannot be claimed as a matter of status; the post is not a matter of choice of the employee; and that employees are expected to serve wherever they are posted.

4. Following the said judgment of the Division Bench, a learned Single Judge of this Court, by order dated 16.07.2024, dismissed the batch of writ petitions in W.P. No.4881 of 2022 and connected cases.

5. However, a similar issue again came up for consideration before the Division Bench of the Madurai Bench of this Court in W.A.(MD) No.842 of 2024. By order dated 30.04.2024, as an interim arrangement, the Division Bench directed that counseling shall be conducted based on Statewide seniority, taking into account all Block Resource Teacher Educators for the purpose of maintaining such seniority, and accordingly, counseling shall be conducted.



6. In view of the above subsequent development, nothing survives for consideration with regard to the relief sought in the present writ petition.

Accordingly, the writ petition stands ***dismissed***. Consequently, the connected Miscellaneous Petition is closed. There shall be no order as to costs.

7. It is made clear that whenever counseling is conducted for the transfer of Block Resource Teacher Educators, the case of the petitioner shall be considered in accordance with the existing Government Orders as well as the order passed by the Division Bench of this Court in W.A.(MD) No.842 of 2024, dated 30.04.2024.

11.12.2025

Index : Yes
Internet : Yes
Neutral Citation : Yes/No
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To
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HEMANT CHANDANGOUDAR, J.

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