



W.P.(MD)No.16044 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.16044 of 2025

and

W.M.P.(MD)No.12135 of 2025

D.Indiragandhi

... Petitioner

-VS-

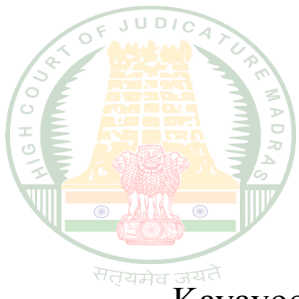
1.The Director of School Education,
O/o.The Director of School Education,
DPI Campus, Chennai – 600006.

2.The Joint Director of School Education (Personnel),
O/o.The Joint Director of School Education,
Chennai - 600006.

3.The Chief Educational Officer,
O/o.The Chief Educational Office,
Thanjavur, Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the second respondent in his proceedings in Na.Ka.No. 065621/C5/E1/2024 dated 26.05.2024 (served to the petitioner on 04.06.2025) and quash the same as illegal and consequently, directing the respondents to reinstate the petitioner in the original place *i.e.* Government High School,



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Kayavoor, Thanjavur District, within the period that may be stipulated by this Court.

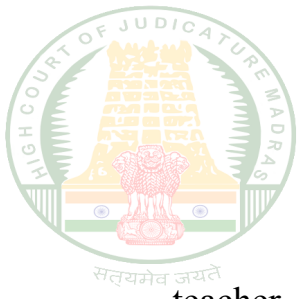
For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking to quash the impugned order issued by the second respondent in Na.Ka.No.065621/C5/E1/2024, dated 26.05.2024 (served on the petitioner on 04.06.2025) and consequently, to direct the respondents to reinstate the petitioner in her original place of posting, namely, Government High School, Kayavoor, Thanjavur District, within a time frame to be stipulated by this Court.

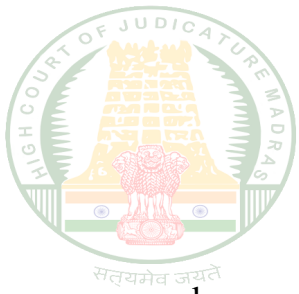
2. The learned counsel for the petitioner submits that the petitioner was initially appointed as a 'Secondary Grade Teacher' on 30.09.1996 and was later promoted as a 'B.T. Assistant' on 02.06.2010. She has been rendering her service with utmost dedication and without any blemish. Pursuant to general transfer counselling, she was transferred and posted to Government High School, Kayavoor, Thanjavur District, on 11.07.2024, where she is the senior-most



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teacher. In terms of prevailing norms, the in-charge Headmaster post is to be assigned to the senior-most teacher. However, despite her seniority, the said post was not handed over to the petitioner and continued to be held by one R.Kaviyarasi, who has been working in that school for 14 years and allegedly refused to relinquish the post. The petitioner had also served earlier as Elementary School Headmaster for 8 years and High School Headmaster (in-charge) for over 2 years, thereby, being well qualified and experienced to hold the in-charge post.

3. The learned counsel for the petitioner further submits that due to personal vendetta and alleged bias by Kaviyarasi, the petitioner was placed under suspension, without any substantiated allegations or issuance of a charge memo. Though the petitioner gave a representation on 07.10.2024, seeking revocation of suspension, no action was taken. Therefore, she filed W.P.(MD)No.29437 of 2024 and this Court, by order dated 09.12.2024, directed the third respondent to consider the representation on merits. As the said order was not complied with, the petitioner filed Contempt Petition in Cont.P.(MD)No.1244 of 2025. Eventually, by impugned proceedings dated 26.05.2024 (served on 04.06.2025), the suspension was revoked. However, the petitioner was transferred to a faraway



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place, namely, the Government Higher Secondary School, Eravanchery, Thiruvarur District, under the guise of revocation of suspension, which the learned counsel for the petitioner contends is a punitive transfer and an act of retaliation.

4. The learned counsel further contends that the impugned order refers to certain proceedings and enquiries, but the contents of the same were not made known to the petitioner, despite oral requests, thereby, violating the principles of natural justice. The learned counsel also submits that the petitioner was transferred to the present school through counselling based on her seniority and hence, such a distant transfer without proper cause is unjust and unreasonable.

5. The learned Additional Government Pleader appearing for the respondents submits that the petitioner has already joined the new place of posting at Eravanchery, Thiruvarur District, on 11.06.2025 F.N., thereby accepting the transfer. The transfer was made in administrative interest and there was no *mala fide* or punitive intention behind the issuance of the impugned order and the present Writ Petition lacks merit and therefore, the same is liable to be dismissed.



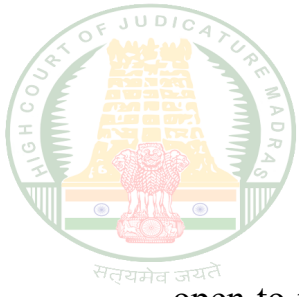
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6. At this juncture, the learned counsel for the petitioner submits that the petitioner has joined in the new place of posting under protest and she may be permitted to submit a fresh representation detailing all her grievances to the second respondent and that the same may be directed to be considered in accordance with law, within a time frame to be fixed by this Court.

7. Heard both sides.

8. Considering the above said facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is of the view that an opportunity may be granted to the petitioner to submit a fresh representation. Accordingly, this Writ Petition is disposed of, with a direction to the petitioner to submit a fresh representation outlining all her grievances to the second respondent, within a period of one week from the date of receipt of a copy of this order. Upon receipt of such representation, the second respondent shall consider it on merits and pass appropriate orders in accordance with law, within two weeks thereafter. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is



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open to the second respondent to consider the same on its own merits. No costs.

Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

11.07.2025

To:-

- 1.The Director of School Education,
O/o.The Director of School Education,
DPI Campus, Chennai – 600006.
- 2.The Joint Director of School Education (Personnel),
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VIVEK KUMAR SINGH, J.

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