

W.P.(MD)No.18306 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.18306 of 2025

and

WMP (MD) Nos.14033 and 14034 of 2025

G.Rajeshwari

: Petitioner

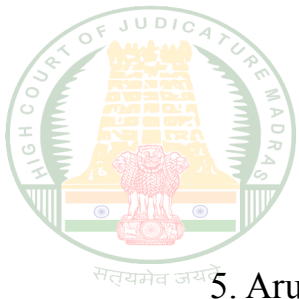
Vs.

1. The State of Tamil Nadu,,
Rep by its Principal Secretary to Government,
School Education Department,
St. George Fort, Chennai.

2. The Director of School Education,
O/o. the Director of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai.

3. The Joint Director of School,
Education(Higher Secondary),
O/o. the Joint Director of School
Education(Higher Secondary),
DPI Campus,
College Road, Nungambakkam,
Chennai.

4. The Chief Educational Officer,
O/o. the Chief Educational Officer,
Madurai District,
Madurai.



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5. Aruljothi,
Headmistress,
Government Girls Higher
Secondary School,
Thirumangalam,
Madurai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned order passed by the 3rd respondent vide his proceedings in Na.Ka.No.074532/W1/E1/2025 dated 02.07.2025 and quash the same as illegal.

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

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R1 to R4

ORDER

This writ petition has been filed to challenge the impugned transfer order issued by the third respondent in respect of the sixth respondent.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the fifth respondent is dispensed with.



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3. The learned counsel for the petitioner submitted that the petitioner has been transferred purportedly on administrative grounds however, it is evident from the records and circumstances surrounding the case that the transfer is punitive in nature, arising out of certain unverified complaints received against the petitioner, which is a gross violation of the principles of natural justice. Therefore, the impugned transfer order is vitiated by malice in law and is liable to be quashed.

4. Per contra, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 4 submitted that the impugned transfer order has been issued purely on administrative grounds in the larger interest of maintaining a harmonious and conducive environment within the school. It is further submitted that certain complaints were received regarding disturbances affecting the normal functioning of the school and in order to avoid any further disruption and to safeguard the welfare of the students, the petitioner was transferred. Therefore, the learned counsel contends that the writ petition is devoid of merit and prays for dismissal.



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5. Heard the learned counsel for the parties and perused the materials available on record.

6. It is a well-settled principle in service jurisprudence that transfer is an incidence of service and falls within the domain of the employer to ensure administrative exigency and efficiency. Courts have consistently held that interference in transfer matters is warranted only when the order is shown to be vitiated by *mala fides*, issued in contravention of statutory rules or made in a vindictive manner. The petitioner has also not substantiated any allegation of *mala fides* or violation of statutory provisions in the issuance of the said transfer order.

7. At this stage, the learned counsel for the petitioner submitted that the petitioner may be permitted to submit a fresh representation to the competent authority seeking reconsideration of her case and that the said authority may be directed to consider and pass appropriate orders on such representation within a time frame to be fixed by this Court.



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8. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the case, directs the petitioner to submit a fresh representation to the competent authority within a period of three (3) days from the date of receipt of a copy of this order. Upon receipt of such representation, the concerned authority shall consider the same on its own merits and in accordance with law and pass appropriate orders within a period of one (1) week 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 open to the concerned respondent to consider the same on its own merits.

9. With the above directions, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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