



W.P.(MD)No.19626 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19626 of 2025

and

W.M.P.(MD)Nos.15073 and 15074 of 2025

J.Dorathysheela

... Petitioner

-VS-

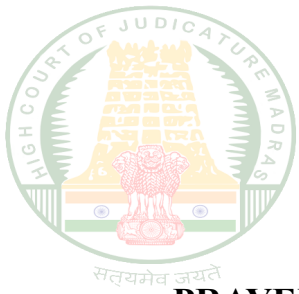
1.The Joint Director of School Education (Personal),
Office of the Joint Director of School Education (Personal),
D.P.I. Complex,
Chennai - 600 006.

2.The Chief Educational Officer,
Office of the Chief Educational Officer,
Karur District - 639 007.

3.Vasuki,
P.G. Assistant English Teacher,
Porani Government Higher Secondary School,
Karur District - 639 118.

4.Sakthivel,
The Personal Assistant to the Chief Educational Officer,
Office of the Chief Educational Officer,
Karur District - 639 007.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent vide Na.Ka.No. 036799/W3/E1/2025 dated 30.06.2025 and quash the same as illegal and consequently, to direct the first respondent to transfer the petitioner to the Government Higher Secondary School, Porani, on the petitioner's sons health ground (J.S.Antony Sebastin, aged about 18 years with the 50% intellectual Disability (Brain)).

For Petitioner : Mr.R.Rajaraman
For R1 and R2 : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to quash the impugned order passed by the first respondent dated 30.06.2025 and consequently, to direct the first respondent to transfer the petitioner to the Government Higher Secondary School, Porani, on compassionate grounds, considering the health condition of the petitioner's son, who is affected by 50% intellectual disability.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

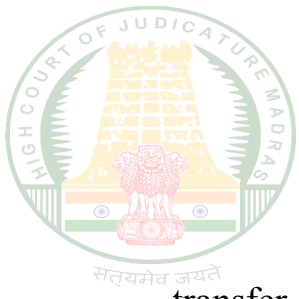


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3. The learned counsel for the petitioner submits that the petitioner was ranked first in the preferential list published by the official respondents and was eligible for transfer to the desired post. However, despite the vacancy being available on the date of counseling, the petitioner was deliberately denied the opportunity and her name was illegally blocked. It is further contended that the official respondents, in a *mala fide* exercise of power, issued an order dated 30.06.2025 in favour of the third respondent, who joined duty on 09.07.2025, even before the formal issuance of the order on 10.07.2025. This sequence of events, according to the petitioner, clearly demonstrates procedural irregularity and favoritism, thereby, warranting interference by this Court.

4. The learned Additional Government Pleader strongly refutes the allegations of *mala fide* intent and contends that the transfer was carried out in accordance with the applicable rules and administrative exigencies. It is submitted that the order dated 30.06.2025 was duly processed and the third respondent's joining on 09.07.2025 was based on proper communication and instructions issued by the competent authority. Further, it is argued that the petitioner has not demonstrated any legal right that has been violated and that



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transfer is an incidence of service within the prerogative of the employer. Mere ranking in the preferential list does not confer an absolute right for transfer to a specific location.

5. Upon hearing both sides and perusing the records, this Court is of the view that the transfer and posting of the third respondent were done in accordance with the administrative necessity and procedural norms. The petitioner, although placed first in the preferential list, cannot claim an absolute right to be posted to a particular school. Furthermore, the petitioner has failed to substantiate the allegation of *mala fides* with concrete evidence. The fact that the third respondent joined on 09.07.2025, prior to the formal issuance of the order on 10.07.2025, appears to be an administrative lapse and not a deliberate act of illegality. In the absence of proven arbitrariness or violation of statutory rules, this Court finds no ground to interfere with the impugned order. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
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