



WP(MD).Nos.21399 to 21401 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.11.2025

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THE HONOURABLE MR JUSTICE K.KUMARESH BABU

W.P(MD)Nos.21399 to 21401 of 2025

and

All W.M.Ps

W.P(MD)No.21399 of 2025

V.Dhanalakshmi

...Petitioner/Petitioner

Vs

1.The State of Tamil Nadu,
Rep by its Secretary to Government,
School Education Department,
Fort St. George, Chennai - 600 009.

2.The Director of Education,
O/o. the Director of Education,
College Road,
Chennai 600 006.

3.The Joint Director of Education,
O/o. the Director of Education,
Higher Education,
College Road, Chennai - 600 006.

4.The Chief Education Officer,
O/o.the Chief Education Officer,
Tenkasi District.

5.The District Education Officer,
O/o. the District Education Officer,
Tenkasi District.



WP(MD).Nos.21399 to 21401 of 2025

6.The Head Master,
S.R.M. Government Girls Higher Secondary School,
Shengottai, Tenkasi District.

7.The Head Master,
Government Higher Secondary School,
Mudaliyarpatti,
Tenkasi District.

...Respondents/Respondents

PRAYER: Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, to pass an order of Interim stay of operation of the Impugned order in Na.Ka.No.49035/W1/E2/2025, dated 20.05.2025, and the consequential Impugned Order in Na.Ka.No.49035/W1/E1/2025, dated 07.07.2025, on the file of the Respondent No.3, pending disposal of the Writ Petition.

For Petitioner : Mr.T.Lajapathy Roy
Senior Counsel for
M/s.Roy and Roy Associates

For Respondents :N.Satheesh Kumar

Additional Government Pleader

W.P(MD)No.21400 of 2025

S.Kaliraj

Petitioner/Petitioner

Vs

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S.R.M.Government Girls Higher Secondary School,
Shengottai, Tenkasi.

7.The Head Master,
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For Petitioner : Mr.T.Lajapathy Roy
Senior Counsel for
M/s.Roy and Roy Associates

For Respondents :N.Satheesh Kumar
Additional Government Pleader



WP(MD).Nos.21399 to 21401 of 2025

COMMON ORDER

These writ petitions have been filed by the teachers working in the sixth respondent school, challenging the orders of transfer.

2. The case of the petitioners is that the petitioners are working in the sixth respondent school. They made a complaint against the then Headmistress for various irregularities. Based on the complaint made by the petitioners, the said Headmistress was also transferred from the school by proceedings dated 16.08.2024. However, by communication dated 20.05.2025 of the third respondent issued an advisory to the fourth respondent to advise the petitioners to get a transfer from the school. During the counselling, a report is to be submitted with regard to the transfers. As the petitioners had not participated in the transfer counselling, an orders of transfer came to be passed by the third respondent transferring the petitioners from the sixth respondent school to the seventh respondent school.

3. It is the case of the petitioners that such a transfer would only dissuade the teachers from making complaints against the superior Headmistress to the appropriate authorities. The petitioners had made a complaint against the then Headmistress for certain illegal irregularities, which is also may found to be proved and she was transferred from the school, and the petitioners, acting as mischief-



WP(MD).Nos.21399 to 21401 of 2023

makers like, restraining the petitioners from making any further complaints against the Headmistress. Therefore, the petitioners seeks the indulgence of this Court.

4. Countering their arguments, Mr.N.Satheesh Kumar, the learned Additional Government Pleader would submit that the transfer is an incident of service and that the transfer is made on administrative grounds and the petitioners ought to have comply with the orders of transfer. Without complying the orders of transfer, the petitioners have approached this Court. Therefore, he seeks dismissal of these writ petitions.

5. I have considered the submissions made by the learned counsel appearing on either side and perused the materials available on record.

6. A perusal of the orders which proceeded to transfer would indicate that there was a pressure on the petitioners to participate in the transfer counselling, so as to get themselves transferred out of the school by branding them as mischief makers. The impugned order further reveals that the teachers listed in the order dated 25.05.2024 had been given a complaint against the then Headmistress regarding various irregularities. It is not denied by the respondents that apart from the said complaint given by the named teachers, the said Headmistress was also found to have involved in certain irregularities and she had been transferred out of the school.



WP(MD).Nos.21399 to 21401 of 2025

7. It is true that transfer is an incident of service, but to force teachers to attend transfer counselling, failing which an order of transfer would be passed and their failure to participate, had ended at an order of transfer being made against the petitioners. Such a transfer cannot be justified as a transfer on administrative grounds.

8. For the aforesaid reasons, the impugned orders of transfer are set aside and the writ petitions are allowed. No Costs. Consequently, connected miscellaneous petitions are closed.

10.11.2025

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WP(MD).Nos.21399 to 21401 of 2023

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WP(MD).Nos.21399 to 21401 of 2025

K.KUMARESH BABU, J.

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W.P(MD)Nos.21399 to 21401 of 2025

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