

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2014

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

W.P.No.16145 of 2014

S.HARIHARAN

... Petitioner

vs.

- 1 STATE OF TAMIL NADU  
REP. BY SECRETARY TO GOVERNMENT  
SCHOOL EDUCATION DEPARTMENT  
FORT ST. GEORGE  
CHENNAI-9.
- 2 THE COMMISSIONER & DIRECTOR OF  
MOST BACKWARD & DE-NOTIFIED COMMUNITIES WELFARE  
CHENNAI-5.
- 3 DIRECTOR OF SCHOOL EDUCATION  
COLLEGE ROAD CHENNAI-6.
- 4 THE JOINT DIRECTOR OF KALLAR RECLAMATION  
MADURAI MADURAI-20.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the the respondents 2 and 4 to relieve the petitioner from the Government Kallar Higher Secondary School Muthaiyan Chettypatti Theni District and give appropriate posting order to the petitioner immediately in any one of the Government High / Higher Secondary Schools under the control of the 3rd respondent as per G.O.(1D).No.86 dated 02.03.2011 passed by the 1st respondent immediately.

For Petitioner : Mr.M.Gnanasekar  
For RR1 to 4 : Mr.R.Rajeswaran,  
Special Government Pleader

O R D E R

The petitioner is working as B.T Assistant in Government Kallar Higher Secondary School, Muthaiyan Chettypatti Theni District. The Government has issued G.O.(1D) No.86 School Education Department dated 02.03.2011, directing transfer of the Teachers who are all

working under the third respondent to the School Education Department, provided, if they have completed 5 years of experience.

2.The petitioner claims that he is entitled for the benefit of G.O.(1D) No.86 dated 02.03.2011, and therefore, he is before this Court with this writ petition seeking a direction to the respondents 2 and 4 to relieve the petitioner from the Government Kallar Higher Secondary School Muthaiyan Chettypatti Theni District and give appropriate posting order to the petitioner immediately in any one of the Government High / Higher Secondary Schools under the control of the 3rd respondent as per G.O.(1D).No.86 dated 02.03.2011 passed by the 1st respondent immediately.

3.The learned counsel for the petitioner would submit that in a similar writ petition in W.P.No.25067 of 2013 dated 10.09.2013, this Court directed the respondents therein to implement G.O.Ms.No.86 dated 02.03.2011 by giving appropriate posting to the petitioner therein within a period of twelve weeks from of the date of receipt of a copy of that order. According to the learned counsel, the petitioner herein is also similarly placed person.

4.The learned Special Government Pleader appearing for the respondents would submit that the respondents 2 and 4 would implement the said Government Order, in favour of the petitioner herein also, provided, if, he satisfy all the other legal requirements within a period of twelve weeks from the date of receipt of a copy of this order. The said statement is recorded.

5.In view of all the above, the writ petition is allowed with a direction to the respondents to implement G.O.(1D) No.86 School Education Department dated 02.03.2011, to the petitioner herein also, provided, he satisfies all the other legal requirements, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Deputy Registrar(J)

Dated: 08.07.2014

//True Copy//

Sub Assistant Registrar

To

1 THE SECRETARY  
STATE OF TAMIL NADU  
SCHOOL EDUCATION DEPARTMENT  
FORT ST. GEORGE  
CHENNAI-9.

2 THE COMMISSIONER & DIRECTOR OF  
MOST BACKWARD & DE-NOTIFIED COMMUNITIES WELFARE  
CHENNAI-5.

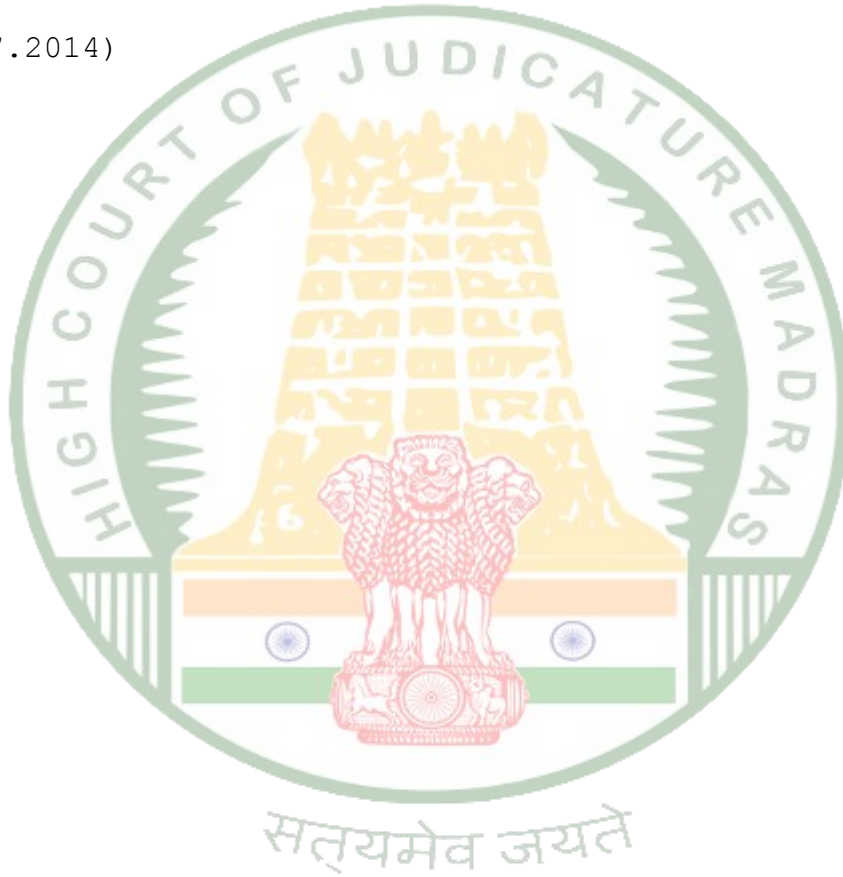
3 DIRECTOR OF SCHOOL EDUCATION  
COLLEGE ROAD CHENNAI-6.

4 THE JOINT DIRECTOR OF KALLAR RECLAMATION  
MADURAI MADURAI-20.

1 CC to Mr.M.Gnanasekar, Advocate SR.No.28402

W.P.No.16145 of 2014

SU(CO)  
JJM (09.07.2014)



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