

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Sixth day of February Two Thousand Twenty

WEB COPY

PRESENT

**The Hon`ble Mr.Justice M.DURAI SWAMY
and
The Hon`ble Mr.Justice T.RAVINDRAN**

**W.A.(MD) Nos.169, 170, 172, 173, 174 & 175 of 2020
and
C.M.P.(MD) Nos.1221, 1198, 1203, 1209,
1214 & 1217 of 2020 respectively**

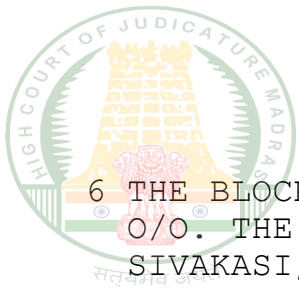
WA(MD) NO.169 OF 2020:-

- 1 S.LINGAM
- 2 K. KARUPPALAGU
- 3 T. REVATHI
- 4 G. SANKARALINGAM,
- 5 S. BALAKRISHNAN
- 6 S. MAHALAKSHMI
- 7 P.MAHARAJA

... APPELLANTS/PETITIONERS 1 TO 4,
7, 9 & 10

Vs

- 1 STATE OF TAMIL NADU
REP BY ITS PRINCIPAL SECRETARY,
SCHOOL EDUCATION (PA.KA 5 (1) DEPARTMENT,
FORT. ST. GEORGE, CHENNAI- 09.
- 2 THE DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.
- 3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.
- 4 THE CHIEF EDUCATIONAL OFFICER,
O/O. THE CHIEF EDUCATIONAL OFFICER,
VIRUDHUNAGAR,VIRUDHUNAGAR DISTRICT.
- 5 THE DISTRICT EDUCATIONAL OFFICER,
O/O. THE DISTRICT EDUCATIONAL OFFICER,
SIVAKASI, VIRUDHUNAGAR DISTRICT.



6 THE BLOCK EDUCATIONAL OFFICER,
O/O. THE BLOCK EDUCATIONAL OFFICER,
SIVAKASI, VIRUDHUNAGAR DISTRICT. ..RESPONDENTS/RESPONDENTS 1 TO 6

7 N. RAMALASKHMI
8 P. RAMESH KUMAR
9 T. DHARMAR, ... RESPONDENTS/PETITIONERS NO.5,6,8

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed in W.P. (MD) No. 17670 of 2019 dated 25/11/2019.

Prayer in CMP(MD). 1221/ 2020 :

Pleased to pass an order of Interim Stay of operation of the impugned Government Order in G.O. (1D) No. 217 School Education (Pa. Ka. 5(1)) Department dated 20.06.2019 on the file of the Respondent No. 1 in so far as Clause 4(1) (ii) is concerned and the Impugned Order in Na.Ka. No. 22725/E1/2018 dated 27.06.2018 on the file of the Respondent No. 2 pending disposal of the Writ Petition and thus render justice.

Prayer in WP(MD). 17670/ 2019 :

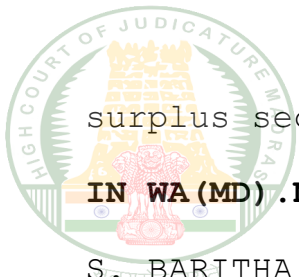
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To call for the records pertaining to the impugned government order in GO(1D) No.217 school Education (Pa.Ka.5(1)) Department dated 20/06/2019 on the file of the respondent No.1 in so far as clause 4(I)II is concerned and the consequential impugned order in na.Ka.No.22725 / E1 / 2018 dated 27/06/2018 on the file of the respondent No.2 and quash the same as illegal and consequently for a direction, directing the respondents No. 4 to 6 to follow the norms prescribed in the Condition No.(II) of the Government G.O.(1D) No.270 , school education (Va.Se2)Dept., dated 10.07.2012 at the time of depolying the surplus secondary grade teacher from one union to other union within the time period.

WA(MD)No.170 OF 2020:

B. RENGARAJAN ... APPELLANT/PETITIONER

- VS. -

1 STATE OF TAMIL NADU
REP BY ITS PRINCIPAL SECRETARY,
SCHOOL EDUCATION (PA.KA 5 (1) DEPARTMENT,
FORT. ST. GEORGE, CHENNAI- 09.



surplus secondary grade teachers from one union to other union.

IN WA(MD).No. 172/ 2020 :-

S. BARITHA SULAICA

... APPELLANT/PETITIONER

WEB COPY

- VS. -

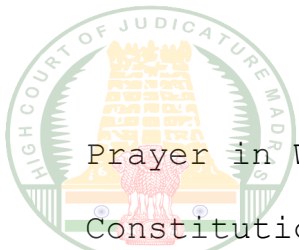
- 1 STATE OF TAMIL NADU
REP BY ITS PRINCIPAL SECRETARY,
SCHOOL EDUCATION (PA.KA 5 (1) DEPARTMENT,
FORT. ST. GEORGE, CHENNAI- 09.
- 2 THE DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.
- 3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.
- 4 THE CHIEF EDUCATIONAL OFFICER,
O/O. THE CHIEF EDUCATIONAL OFFICER,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
- 5 THE DISTRICT EDUCATIONAL OFFICER,
O/O. THE DISTRICT EDUCATIONAL OFFICER,
ARUPPUOTTAI, VIRUDHUNAGAR DISTRICT.
- 6 THE BLOCK EDUCATIONAL OFFICER,
O/O. THE BLOCK EDUCATIONAL OFFICER,
ARUPPUOTTAI, VIRUDHUNAGAR DISTRICT. ..RESPONDENTS/RESPONDENTS

Prayer in WA(MD). 172/ 2020 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed in W.P. (MD) No. 19678 of 2019 dated 25/11/2019.

Prayer in CMP(MD). 1203/ 2020 :

Pleased to pass an order of Interim Stay of operation of the impugned Government Order in G.O. (1D) No. 217 School Education (Pa. Ka. 5(1)) Department dated 20.06.2019 on the file of the Respondent No. 1 in So far as Clause 4(1) (ii) is Concerned and the Impugned Order in Na.Ka. No. 22725/E1/2018 dated 27.06.2018 on the file of the Respondent No. 2 and the Consequential Impugned Order in Na.Ka. No. 6526/A5/2019 dated 30.08.2019 on the file of the Respondent No. 4 pending disposal of the Writ Petition and thus



Prayer in WP(MD). 19678/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Call for records pertaining to the Impugned Government Order in G.O. (ID).No.217 school Education (Pa.Ka.5(1)) Department dated 20-06-2019 on the file of the Respondent No. 1 in so far as Clause 4(I) (ii) is concerned and the impugned order in Na.Ka.No.22725/E1/2018 dated 27-06-2019 on the file of the Respondent No.2 and the consequential impugned order in Na.Ka.No.6526/A5/2019 dated 30-08-2019 on the file of the Respondent No.4 and quash the same as illegal and consequently for a direction, directing the respondents to follow the norms prescribed in the Conditions No.(ii) of the Govt. G.O.(1D) No.270, School Education (Va.Se.2) Department dated 10.07.2012 at the time of deploying the surplus secondary grade teachers from one union to other union.

In WA(MD).No. 173/ 2020:-

R. VIJAYASRI

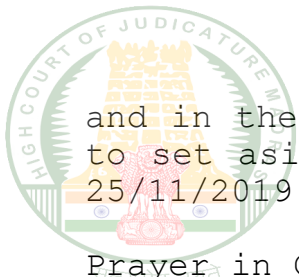
... APPELLANT/PETITIONER

- Vs. -

- 1 STATE OF TAMIL NADU
REP BY ITS PRINCIPAL SECRETARY,
SCHOOL EDUCATION (PA.KA 5 (1) DEPARTMENT,
FORT. ST. GEORGE, CHENNAI- 09.
- 2 THE DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.
- 3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.
- 4 THE CHIEF EDUCATIONAL OFFICER,
O/O. THE CHIEF EDUCATIONAL OFFICER,
VIRUDHUNAGAR,VIRUDHUNAGAR DISTRICT.
- 5 THE DISTRICT EDUCATIONAL OFFICER,
O/O. THE DISTRICT EDUCATIONALI OFFICER,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 6 THE BLOCK EDUCATIONAL OFFICER,
O/O. THE BLOCK EUDCATIONAL OFFICER,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

Prayer in WA(MD). 173/ 2020 :

<https://hcservices.ecourts.gov.in/hcservices/> praying that in the circumstances stated therein



and in the affidavit filed therewith the High Court will be pleased to set aside the order passed in W.P. (MD) No. 20151 of 2019 dated 25/11/2019

Prayer in CMP(MD). 1209/ 2020 :

Pleaded to pass an order of Interim Stay of operation of the impugned Government Order in G.O. (1D) No. 217 School Education (Pa. Ka. 5(1)) Department dated 20.06.2019 on the file of the Respondent No. 1 in So far as Clause 4(1) (ii) is Concerned and the Impugned Order in Na.Ka. No. 22725/E1/2018 dated 27.06.2019 on the file of the Respondent No. 2 and the Consequential Impugned Order in Na.Ka. No. 6526/A5/2019 dated 30.08.2019 on the file of the Respondent No. 4 pending disposal of the Writ Petition and thus render justice.

Prayer in WP(MD). 20151/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to call for the records pertaining to the imugned government order in G.O.1(D) No.217 school education (pa.ka.5(1)) Department dt.20/06/2019 on the file of the respondent No.1 in so far as Clause 4(I) (ii) is concerned and the Impugned Order in Na.ka.No.22725/E1/2018 dt.27/06/2019 on the file of the respondent No.2 and the consequential Impugned order in Na.ka.No.6526 / A5 / 2019 dt.30/08/2019 on the file of the respondent No.4 and quash the same as illegal and consequently for a direction, directing the respondents to follow the norms prescribed in the Conditions No.(ii) of the Govt. G.O.(1D) No.270, School Education (Va.Se.2) Department dated 10.07.2012 at the time of deploying the surplus secondary grade teachers from one union to other union .

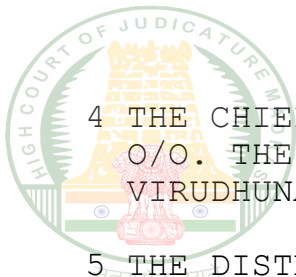
IN WA(MD).No. 174/ 2020:

I.PREMA

... APPELLANT/PETITIONER

- Vs. -

- 1 STATE OF TAMIL NADU
REP BY ITS PRINCIPAL SECRETARY,
SCHOOL EDUCATION (PA.KA 5 (1) DEPARTMENT,
FORT. ST. GEORGE, CHENNAI- 09.
- 2 THE DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.
- 3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.



4 THE CHIEF EDUCATIONAL OFFICER,
O/O. THE CHIEF EDUCATIONAL OFFICER,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

5 THE DISTRICT EDUCATIONAL OFFICER,
O/O. THE DISTRICT EDUCATIONAL OFFICER,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

6 THE BLOCK EDUCATIONAL OFFICER,
O/O. THE BLOCK EDUCATIONAL OFFICER,
SIVAKASI, VIRUDHUNAGAR DISTRICT. ... RESPONDENTS/RESPONDENTS

Prayer in WA(MD). 174/ 2020 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed in W.P. (MD) No. 20153 of 2019 dated 25/11/2019.

Prayer in CMP(MD). 1214/ 2020 :

Pleased to pass an order of Interim Stay of operation of the impugned Government Order in G.O. (1D) No. 217 School Education (Pa. Ka. 5(1)) Department dated 20.06.2019 on the file of the Respondent No. 1 in So far as Clause 4(1) (ii) is Concerned and the Impugned Order in Na.Ka. No. 22725/E1/2018 dated 27.06.2019 on the file of the Respondent No. 2 and the Consequential Impugned Order in Na.Ka. No. 6526/A5/2019 dated 30.08.2019 on the file of the Respondent No. 4 pending disposal of the Writ Petition and thus render justice.

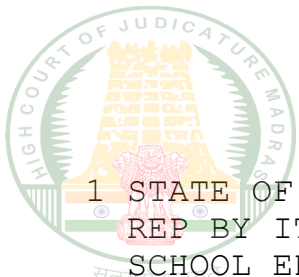
Prayer in WP(MD). 20153/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to call for the records pertaining to the impugned government order in G.O.1(D) No.217 school education (pa.ka.5(1)) Department dt.20/06/2019 on the file of the respondent No.1 in so far as Clause 4(I) (ii) is concerned and the Impugned Order in Na.ka.No.22725/E1/2018 dt.27/06/2019 on the file of the respondent No.2 and the consequential Impugned order in Na.ka.No.6526 / A5 / 2019 dt.30/08/2019 on the file of the respondent No.4 and quash the same as illegal and consequently for a direction, directing the respondents to follow the norms prescribed in the Conditions No.(ii) of the Govt. G.O.(1D) No.270, School Education (Va.Se.2) Department dated 10.07.2012 at the time of deploying the surplus secondary grade teachers from one union to other union.

In WA(MD).No. 175/ 2020 :

K. JAYALAKSHMI

... APPELLANT/PETITIONER



- Vs. -

1 STATE OF TAMIL NADU

REP BY ITS PRINCIPAL SECRETARY,
SCHOOL EDUCATION (PA.KA 5 (1) DEPARTMENT,
FORT. ST. GEORGE, CHENNAI- 09.

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O/O. THE DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.

3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.

4 THE CHIEF EDUCATIONAL OFFICER,
O/O. THE CHIEF EDUCATIONAL OFFICER,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

5 THE DISTRICT EDUCATIONAL OFFICER,
O/O. THE DISTRICT EDUCATIONAL OFFICER,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

6 THE BLOCK EDUCATIONAL OFFICER,
O/O. THE BLOCK EDUCATIONAL OFFICER,
SIVAKASI, VIRUDHUNAGAR DISTRICT. ... RESPONDENTS/RESPONDENTS

Prayer in WA(MD). 175/ 2020 :

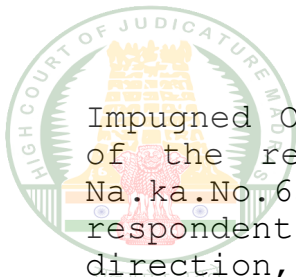
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed in W.P. (MD) No. 20146 of 2019 dated 25.11.2019.

Prayer in CMP(MD). 1217/ 2020 :

Pleased to pass an order of Interim Stay of operation of the impugned Government Order in G.O. (1D) No. 217 School Education (Pa. Ka. 5(1)) Department dated 20.06.2019 on the file of the Respondent No. 1 in so far as Clause 4(1) (ii) is concerned and the Impugned Order in Na.Ka. No. 22725/E1/2018 dated 27.06.2019 on the file of the Respondent No. 2 and the Consequential Impugned Order in Na.Ka. No. 6526/A5/2019 dated 30.08.2019 on the file of the Respondent No. 4 pending disposal of the Writ Petition and thus render justice.

Prayer in WP(MD). 20146/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to call for the records pertaining to the impugned government order in G.O.1(D) No.217 school education (pa.ka.5(1)) Department dt.20/06/2019 on the file of the Respondent No. 1 in so far as Clause 4(I) (ii) is concerned and the



Impugned Order in Na.ka.No.22725/E1/2018 dt.27/06/2019 on the file of the respondent No.2 and the consequential Impugned order in Na.ka.No.6526 / A5 / 2019 dt.30/08/2019 on the file of the respondent No.4 and quash the same as illegal and consequently for a direction, directing the respondents to follow the norms prescribed in the Conditions No.(ii) of the Govt. G.O.(1D) No.270, School Education (Va.Se.2) Department dated 10.07.2012 at the time of deploying the surplus secondary grade teachers from one union to other union.

ORDER: These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.T.LAJAPATHI ROY, Advocate for the Appellants in all petitions and of Mrs.S.SRIMATHY, Special Government Pleader on behalf of the respondents 1 to 6 in all petitions, the Court made the following order:-

[Order of the Court was made by M.DURAI SWAMY, J.]

Ms.S.Srimathy, learned Special Government Pleader, takes notice for the respondents 1 to 6 in all the writ appeals.

2. Notice to the respondents 7 to 9 in W.A.(MD) No.169 of 2020 returnable by 11.03.2020. Private notice is also permitted.

3. There shall be an order of interim stay.

4. Post the writ appeals, along with W.A.(MD) No.144 of 2020, on 11.03.2020.

sd/-
06/02/2020

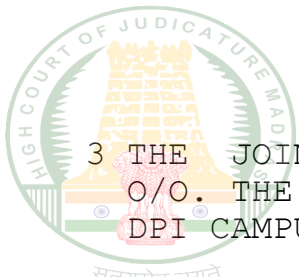
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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRINCIPAL SECRETARY,
STATE OF TAMIL NADU
SCHOOL EDUCATION (PA.KA 5 (1) DEPARTMENT,
FORT. ST. GEORGE, CHENNAI- 09.

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O/O. THE DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI- 06.



3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
O/O. THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
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O/O. THE DISTRICT EDUCATIONAL OFFICER,
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SIVAKASI, VIRUDHUNAGAR DISTRICT.

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ARUPPUOTTAI, VIRUDHUNAGAR DISTRICT.

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O/O. THE BLOCK EDUCATIONAL OFFICER,
ARUPPUOTTAI, VIRUDHUNAGAR DISTRICT.

+6 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-2518[I] dated 06/02/2020)

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-2544[I] dated 07/02/2020)

ORDER

IN

W.A.(MD) Nos.169, 170, 172,
173, 174 & 175 of 2020

and

C.M.P.(MD) Nos.1221, 1198, 1203, 1209,
1214 & 1217 of 2020 respectively

Date :06/02/2020

krk

AE/VR/SAR-IV (07.02.2020) 10P 16C