

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

Thursday, the Sixth day of February Two Thousand Twenty

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PRESENT

The Hon'ble Mr.Justice M.DURAIWAMY
and
The Hon'ble Mr.Justice T.RAVINDRAN

WA(MD) Nos.180 and 181 of 2020
and
CMP(MD)Nos.1267 and 1269 of 2020

D.DEVADASON ISRAEL

... APPELLANT/PETITIONER
IN WA(MD)No.180 of 2020

VELMURUGAN

... APPELLANT/PETITIONER
IN WA(MD)No.181 of 2020

Vs

1 THE SECRETARY TO GOVERNMENT,
SCHOOL EDUCATIONAL DEPARTMENT,
SECRETARIAT,
CHENNAI -09.

2 THE DIRECTOR OF ELEMENTARY EDUCATION,
CHENNAI-6

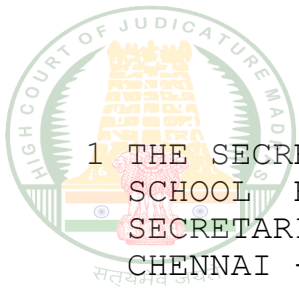
3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
CHENNAI-6.

4 THE CHIEF EDUCATIONAL OFFICER,
THOOTHUKUDI.

5 THE DISTRICT EDUCATIONAL OFFICER,
THOOTHUKUDI @ PUDUKKOTTAI,
THOOTHUKUDI DISTRICT.

6 THE BLOCK EDUCATIONAL OFFICER,
KARUNGULAM UNION,
THOOTHUKUDI DISTRICT.

... RESPONDENTS/RESPONDENTS
IN WA(MD)No.180 of 2020



1 THE SECRETARY TO GOVERNMENT,
SCHOOL EDUCATIONAL DEPARTMENT,
SECRETARIAT,
CHENNAI -09.

2 THE DIRECTOR OF ELEMENTARY EDUCATION,
CHENNAI-6

3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
CHENNAI-6.

4 THE CHIEF EDUCATIONAL OFFICER,
TIRUNELVELI.

5 THE DISTRICT EDUCATIONAL OFFICER,
TIRUNELVELI, TIRUNELVELI DISTRICT.

6 THE BLOCK EDUCATIONAL OFFICER,
MAANOOR UNION,
TIRUNELVELI DISTRICT.

... RESPONDENTS/RESPONDENTS
IN WA(MD)No.181 of 2020

Prayer in WA(MD)No.180 of 2020 :

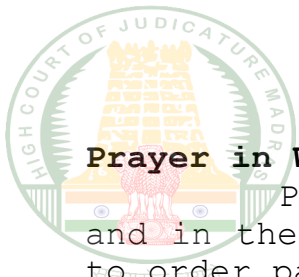
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to order passed in W.P (MD) No.19839 of 2019 dated 25.11.2019.

Prayer in WP(MD)No. 19839/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to calling for the records pertaining to the order passed by the 1st respondent in his proceedings in G.O.Ms.no.217 School Education (Pa.Ka. 5(1)) Dept dated 20.06.2019 in so far as para 4. I) (ii) is concerned and the consequential transfer order passed by the 4th respondent in his proceedings in Na.Ka.3662/E2/2019 dated 30.08.2019 and quash the same and direct the respondents to follow the union seniority to effect the surplus transfer orders

Prayer in CMP(MD)No.1267/2020 in WA(MD)No.180 of 2020 :

Pleased to stay the operation of the order passed by the 1st Respondent in his Proceedings in G.O. Ms No. 217 School Education (Pa. Ka. 5(1) Department dated 20.06.2019 in so far as para 4. 1) (ii) is Concerned and the consequential transfer order passed by the 4th respondent in his proceedings in Na.Ka. 3662/E2/2019 dated 30.08.2019 so as to enable the petitioner to continue in the same school pending disposal of the above Writ Petition .



Prayer in WA(MD)No.181/2020 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to order passed in WP(MD) No. 19930 of 2019 dated 25.11.2019.

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Prayer in WP(MD) . 19930/2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records pertaining to the order passed by the 1st respondent in his proceedings in G.O.Ms.No.217 School Education (Pa.Ka.5(1) Department dated 20.6.2019 in so far as para 4.I)(ii) is concerned and the consequential transfer order passed by the 4th respondent in his proceedings in Na.Ka.6627/D1/2019 dt.30.8.2019 and quash the same and direct the respondent to permit the petitioner to continue in the 6th respondent union as per union seniority.

Prayer in CMP(MD)No.1269/2020 in WA(MD)No.181 of 2020 :

Pleased to stay the operation of the order passed by the 1st Respondent in his Proceedings in G.O. Ms No. 217 School Education (Pa. Ka.5 (1)) Department dated 20.06.2019 in so far as para. 4. 1) ii) is concerned and the consequential transfer order passed by the 4th respondent in his proceedings in Na.Ka. 6627/D1/2019 dated 30.08.2019 so as to enable the petitioner to continue in the same school.

ORDER: These Appeals coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.V.PANEERSELVAM Advocate for appellant in both the petitions and of Mrs.S.SRIMATHY, Special Government Pleader for Respondents in both the 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.

2. There shall be an order of interim stay.

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

sd/-
06/02/2020

/ TRUE COPY /

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



To

1 THE SECRETARY TO GOVERNMENT,
SCHOOL EDUCATIONAL DEPARTMENT,
SECRETARIAT,
CHENNAI -09.

2 THE DIRECTOR OF ELEMENTARY EDUCATION,
CHENNAI-6

3 THE JOINT DIRECTOR OF ELEMENTARY EDUCATION,
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TIRUNELVELI.

5 THE DISTRICT EDUCATIONAL OFFICER,
THOOTHUKUDI @ PUDUKKOTTAI,
THOOTHUKUDI DISTRICT.

7 THE DISTRICT EDUCATIONAL OFFICER,
TIRUNELVELI, TIRUNELVELI DISTRICT.

8 THE BLOCK EDUCATIONAL OFFICER,
KARUNGULAM UNION,
THOOTHUKUDI DISTRICT.

9 THE BLOCK EDUCATIONAL OFFICER,
MAANOOR UNION,
TIRUNELVELI DISTRICT.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 2546

ORDER IN

WA(MD) Nos.180 & 181/2020 and
CMP(MD)Nos.1267 & 1269/2020

Date :06/02/2020

KRK

TE/MMS/SAR-1 : 07/02/2020 : 2P/11C