



WA(MD)No.592 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24.04.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WA(MD)No.592 of 2026
and
CMP(MD)No.5619 of 2026

M.Babu

... Appellant

Vs.

1. The Joint Director of School Education (Personnel),
College Road,
Chennai - 600 006.

2. The Chief Educational Officer,
O/o. The Chief Educational Office,
Karur, Karur District.

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against
the order made in W.P(MD)No.6669 of 2025 dated 30.01.2026.

For Appellant : Mr.H.Mohammed Imran for
M/s.Ajmal Associates

For Respondents : Mr.J.Ashok
Additional Government Pleader



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JUDGMENT

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Challenging the order of the learned Single Judge dismissing the writ petition upholding the transfer order passed by the 1st respondent, this writ appeal has been filed.

2. The appellant / writ petitioner was originally working as B.T Assistant (Science) at Government Higher Secondary School, Manavadi, Karur. He was slapped with a criminal case under Section 10 of POCSO Act, 2012 and Section 3(1)(w) of SC/ST Act, 2016 in Spl.S.C No.10 of 2023 by the POCSO Court. In the meanwhile, in view of the Government Letter No.37/GL1(2)/2025-1, dated 20.02.2025, mandating transfer of teachers, who were involved in cases under the POCSO Act, the appellant was transferred to Government Boys Higher Secondary School, Karambakkudi, Pudukkottai District. The said transfer order was challenged before the Writ Court mainly on the ground that the charges against the appellant were not proved and the trial Court acquitted the appellant from all charges. However, the Writ Court dismissed the writ petition. Hence, this writ appeal.



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3. It is the contention of the learned counsel for the appellant that since the transfer itself has been made as a punishment, the same cannot be valid in the eye of law.

4. Considering the above submission, on earlier occasion, we asked the learned Additional Government Pleader to get the details about the availability of vacancy in the same district to accommodate the appellant.

5. Today, the learned Additional Government Pleader, on instructions, would submit that there is a vacancy at Government Higher Secondary School, K.P.Thalaipatty, Thanthonimalai Union, Karur District.

6. In that view of the matter, since the very transfer of the appellant itself made on the allegation of criminal case which ended in acquittal and since stigma is attached to the appellant's transfer, we are of the view that the transfer made in vindictive nature cannot be sustained. However, taking note of the vacancy available in the same district, we are of the view that the appellant can be accommodated in the said vacancy.



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7. Accordingly, the order made in W.P(MD)No.6669 of 2025 dated 30.01.2026, is set aside and the 1st respondent is directed to post the appellant in the existing vacancy at Government Higher Secondary School, K.P.Thalaipatty, Thanthonimalai Union, Karur District, immediately, after the Model Code of Conduct for the Tamil Nadu Legislative Assembly Election 2026, is withdrawn.

8. With the above direction, the Writ Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
24.04.2026

Index : Yes / No

Neutral Citation : Ye / No

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To

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AND
M.JOTHIRAMAN, J.

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ORDER MADE IN
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