

Further, it was held that it is not within the policy of the Government to prohibit transfers in corporate bodies running more than one school, from wherein common pool of the teachers will be considered. In the above referred Y. Balachandrababu Vs. District Educational Officer, Kuzhithurai, the aggrieved teacher preferred an SLP against the judgment of this Hon'ble Court in Special Leave Appeal (Civil) Nos. 11480 – 11481/2007 and the Hon'ble Apex Court, confirming the order of the Hon'ble Division Bench of the Madurai Bench of this Hon'ble Court, dismissed the above Special Leave Appeal by its order dated 27.07.2007.

18. I humbly submit that therefore in more than one case, the order of the Full Bench of this Hon'ble Court dated 30.04.1998, has been distinguished by this Hon'ble Court and it has been confirmed by the Hon'ble Apex Court. Specifically the 7th respondent educational agency filed a Review Petition and has been de-linked from the ratio held by the Hon'ble Full Bench by its order dated 12.11.2007, as mentioned above. In compliance of the order in the Review Application No. 139 of 2007, dated 12.11.2007, the competent authorities have passed appropriate orders on 28.01.2009, after verification of facts and documents, confirming the corporate nature of the management and ratifying the right of the management to effect transfers in continuation of the Government Memorandum from the year 1960. Therefore, there is nothing new or nothing illegal as claimed by the petitioner.

19. I humbly submit that the petitioner Association has no locus standi to file the writ petition, because it is not affected by any transfer. Apart from the bogus representation of the petitioner that he is championing the cause of all the staff,