

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYASHTA, 1937

WP(C).No.15519 of 2015 (L)

PETITIONER:

**SANOJ V.R.,AGED 39 YEARS,S/O.RAJENDRAN,
CONSTABLE GD,CISF NO.034500578,FACT,
UDYOGAMANDAL,KOCHI,RESIDING AT P F,115,
ELOOR,'UDYOGAMANDAL,KOCHI-683501.**

BY ADV. SMT.PRANI DIOTHIMA

RESPONDENT'S:

- 1. DIRECTOR GENERAL,CISF HEAD QUARTERS,
CGO COMPLEX,NEW DELHI-110 001.**
- 2. THE INSPECTOR GENERAL,
(SS)CISF SOUTH ZONE HEAD QUARTER,
CHENNAI,TAMIL NADU,PIN-600001.**
- 3. DEPUTY INSPECTOR GENERAL,
RAJBHAVAN,BASAN NAGAR,CISF,
SOUTH ZONE,HEAD QUARTERS,
CHENNAI,PIN-600 001.**
- 4. THE SENIOR COMMANDANT,
CENTRAL INDUSTRIAL SECURITY FORCE,M,
(MINISTRY OF HOME AFFAIRS),CISF UNIT,
FACT LTD.,UDYOGAMANDAL,KOCHI-683 501.**

**R1-R4 BY SMT.O.M.SHALINA,CGC
SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL OF INDIA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

APPENDIX

PETITIONER'S EXHIBITS:

- P1 - TRUE COPY OF THE CERTIFICATE ISSUED BY DR.TITY CHACKO, WHO IS THE REPRODUCTIVE MEDICINE CONSULTANT OF LAKSHMI HOSPITAL DATED 24.07.2012.
- P2 - TRUE COPY OF THE CERTIFICATE ISSUED BY DR.TITY CHACKO, WHO IS THE REPRODUCTIVE MEDICINE CONSULTANT OF LAKSHMI HOSPITAL DATED 06.01.2015.
- P3 - TRUE COPY OF THE CERTIFICATE ISSUED BY THE ADDL.CHIEF MEDICAL OFFICER OF FACT MEDICAL SERVICES DATED 7.5.2015.
- P4 - TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 2ND RESPONDENT IN JANUARY 2015.
- P5 - TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 2ND RESPONDENT DATED 7/5/15.
- P6 - TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 4TH RESPONDENT ON 18.5.2015 THROUGH PROPER CHANNEL.
- P7 - TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 1ST RESPONDENT DATED 24.4.2015 BY THE PETITIONER.
- P8 - TRUE COPY OF THE ORDER ISSUED BY THE 4TH RESPONDENT DATED 20/5/15 REJECTING THE REQUEST OF TRANSFER.
- P9 - TRUE COPY OF THE GUIDELINES ISSUED BY THE GOVT.OF INDIA VIDE OFFICE MEMORANDUM DATED 30/9/2009.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

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Dated this the 2nd day of June, 2015

JUDGMENT

The petitioner, who is working as a Constable GD at the FACT Unit of the CISF in Udyogamandal, is aggrieved by Ext.P8 order proposing a transfer of the petitioner to the National Police Academy in Hyderabad. Even before receipt of Ext.P8 order, on sensing a move to transfer the petitioner out of Udyogamandal, the petitioner had preferred Ext.P7 representation before the first respondent. In the writ petition it is pointed out that, despite the petitioner preferring Ext.P7 representation, and without considering the same, the respondents have passed Ext.P8 order.

2. I have heard the learned Counsel for the petitioner and also the learned Standing Counsel appearing for the respondents.

On a consideration of the facts and circumstances of the case as also the submission made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Ext.P7 representation, preferred by the petitioner before him, within a period of 2 months from the date of receipt of a copy of this judgment. I make it clear that till such time as orders are passed by the 1st respondent as directed and communicated to the

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petitioner, the petitioner shall be permitted to discharge his duties at the Udyogamandal unit of the respondents.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das