

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.4.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE T.MATHIVANAN

Writ Petition No.12962 of 2015
and
M.P.No.1 of 2015

K.Sundaresan

... Petitioner

Vs

1. The Union of India, rep.by the Chief
Controller of Explosives, 'A' Block,
V Floor, CGO Complex, Seminary
Hills, Nagpur, Maharashtra-440006.
2. The Chief Controller/Joint Chief Controller
of Explosives (HOD), 'A' Block,
V Floor, CGO Complex, Seminary
Hills, Nagpur, Maharashtra-440006.
3. The Joint Chief Controller of Explosives,
South Circle, Shastri Bhavan, 'A' Wing,
Nungambakkam, Chennai-34.
4. The Registrar, Central Administrative
Tribunal, Madras Bench, Chennai-104.

... Respondents

PETITION under Article 226 of The Constitution of India praying
for the issuance of a Writ of Certiorari to call for the records
relating to the fourth respondent's order made in O.A.No.310/00346 of
2015 dated 21.4.2015 and quash the same.

For Petitioner : Mr.L.Chandrakumar

ORDER

Order of the Court was made by V.RAMASUBRAMANIAN, J

The petitioner has come up with the above writ petition challenging the dismissal of his application by the Central Administrative Tribunal questioning the correctness of the order of transfer.

2. We have heard Mr.L.Chandrakumar, learned counsel for the petitioner.

3. The petitioner was directly recruited as Deputy Controller of Explosives in the year 1998. He was later promoted as Controller and as Deputy Chief Controller in February 2014. By an order dated 28.1.2015, he was transferred to Sivakasi. Aggrieved by the transfer, the petitioner filed an application before the Central Administrative Tribunal. The Tribunal dismissed the application by an order dated 21.4.2015. It is against the said order that the petitioner is before this Court.

4. It is seen from the order of the Tribunal that the petitioner was actually promoted in the year 2013 and on the basis of his representation, he was retained at Chennai, on account of his daughter's education. Now, a period of nearly two years have passed. The Tribunal has recorded that in three different spells, the petitioner has been at Chennai for ten years, though it is an all India posting. The transfer is only to Sivakasi, within the State. The petitioner is one among the eight persons, who have been transferred to different places. As a matter of fact, the other persons have been transferred to different parts of the country. Hence, the petitioner cannot really have a grievance about his transfer and the writ petition is liable to be dismissed.

5. Mr.L.Chandrakumar, learned counsel for the petitioner sought liberty to make a representation to the Appellate Authority.

6. Therefore, leaving it open to the petitioner to make a representation to the higher authority, the writ petition is dismissed. Consequently, the above MP is also dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

RS

To

1. The Chief Controller of Explosives,
'A' Block, V Floor, CGO Complex,
Seminary Hills,
Nagpur,
Maharashtra-440006.
2. The Chief Controller/Joint Chief Controller of Explosives (HOD),
'A' Block, V Floor, CGO Complex,
Seminary Hills, Nagpur,
Maharashtra-440006.
3. The Joint Chief Controller of Explosives,
South Circle, Shastri Bhavan,
'A' Wing, Nungambakkam,
Chennai-34.
4. The Registrar,
Central Administrative Tribunal,
Madras Bench,
Chennai-104.

+1cc to Mr.L.ChandraKumar, Advocate, S.R.No.23567

W.P.No.12962 of 2015
and
MP.No.1 of 2015

EV(CO)
CA(05/06/2015)



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