

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.27445 of 2014
and M.P.No.1 of 2014

R.Murugesan

...Petitioner

Vs.

1. The Director General,
Highways Department,
Chepauk, Chennai - 600 005.

2. The Superintending Engineer,
National Highways,
Kurangu Chavadi, Salem - 636 004.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent passed in his proceedings Order No.99/NIR/2(1)/2014, dated 23.9.2014 and quash the same and direct the respondents to permit him to continue his service in the present place itself.

For Petitioner : Mr.R.Rengaramanujam

For Respondents : Mr.M.S.Ramesh
Additional Govt. Pleader

O R D E R

Though the petitioner challenges the order dated 23.09.2014 transferring from Salem to Tuticorin and thereafter to Andipatti, the learned counsel for the petitioner on instructions submitted that the petitioner would be satisfied in case a direction is issued to consider his representation dated 29.09.2014 in the light of medical certificate, after joining at the transferred place.

2. The petitioner is presently working as Assistant Engineer. The petitioner was transferred from Salem to Tuticorin by order dated 23.09.2014 and subsequently he was transferred to Andipatti. The petitioner failed to join duty on account of an accident. According to the petitioner, the medical officers have advised him not to travel on account of the injuries sustained by him in the recent accident. The petitioner is prepared to join at the transferred place.

3. The petitioner is directed to join at the transferred place on or before 16.03.2015.

4. The learned counsel for the petitioner submitted that there are several vacancies in and around Salem.

5. The first respondent is directed to consider the representation submitted by the petitioner dated 29.09.2014 on merits and in the light of the vacancy position and taking into account the accident sustained by the petitioner. Such exercise shall be completed within a period of six weeks after joining service at the transferred place.

6. The writ petition is disposed of with the above direction. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki

To

1. The Director General,
Highways Department,
Chepauk, Chennai - 600 005.

2. The Superintending Engineer,
National Highways,
Kurangu Chavadi, Salem - 636 004.

+ 1 cc to Mr.R.Rengaramanujam, Advocate SR.12869

+ 1 cc Government Pleader Sr.12608

सत्यमेव जयते

W.P.No.27445 of 2014

SK(CO)

EU 19.03.2015

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