

In the High Court of Judicature at Madras

Dated: 09.10.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.32119 of 2015

M.Sekar

.... Petitioner

Vs.

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St. George, Chennai - 9.
2. The Commissioner
Tamil Nadu Food Safety and Drugs
Administration Department,
DMS Campus, No.359, Anna Salai,
Teynampet, Chennai - 600 006.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus directing the second respondent to consider the petitioner's request for transfer to Chennai or Thiruvallur by considering the petitioner's representation dated 19.08.2015.

For Petitioner : Mr.R.Jayaprakash

For Respondents: Mr.V.Subbiah, Spl.G.P.

सत्यमेव जयते

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner has joined the service as Health Inspector Grade - II on 15.11.2006. In terms of G.O.Ms.No.347 dated 22.12.2011, the post of Food Inspectors were notified as Food Safety Officers after giving appropriate training. As the petitioner had also undergone the same, he was notified as Food Safety Officer and transferred from Chennai to Gudiyatham Block, Vellore District as Food Safety Officer on and from 24.09.2011. The petitioner would state that his family, which include his

mother aged about 80 years are living in Chennai and the neighbours, who are rowdy elements, causing disturbance to his family. Hence, he lodged a complaint with the Inspector of Police, Avadi Police Station, Chennai and a receipt has been issued in CSR No.918 of 2015. In the light of the above facts and circumstances, the petitioner has submitted a representation dated 19.8.2015 through proper channel requesting the second respondent to transfer him to any one of the vacancy either at Chennai or at Thiruvallur, so as to enable him to maintain his family. Thereafter, the petitioner once again submitted a representation dated 14.09.2015 to the second respondent seeking transfer to the place nearby to his house. However, the petitioner was transferred to the Minjur Block, Thiruvallur District, which, according to the petitioner, is far away from the place in which his family is residing. Hence, the petitioner came forward to file this Writ Petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for a direction to the second respondent to consider the representation of the petitioner dated 19.8.2015, since the said representation has been considered by the second respondent and passed a transfer order, the petitioner is permitted to submit one more representation to the second respondent along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the second respondent is directed to consider the same and pass orders on merits and in accordance with law within a further period of four weeks thereafter.

The Writ Petition is disposed of accordingly. No costs.

सत्यमेव जयते

-s/d-

Assistant Registrar (CSIV)

True Copy

Sub-Assistant Registrar

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To

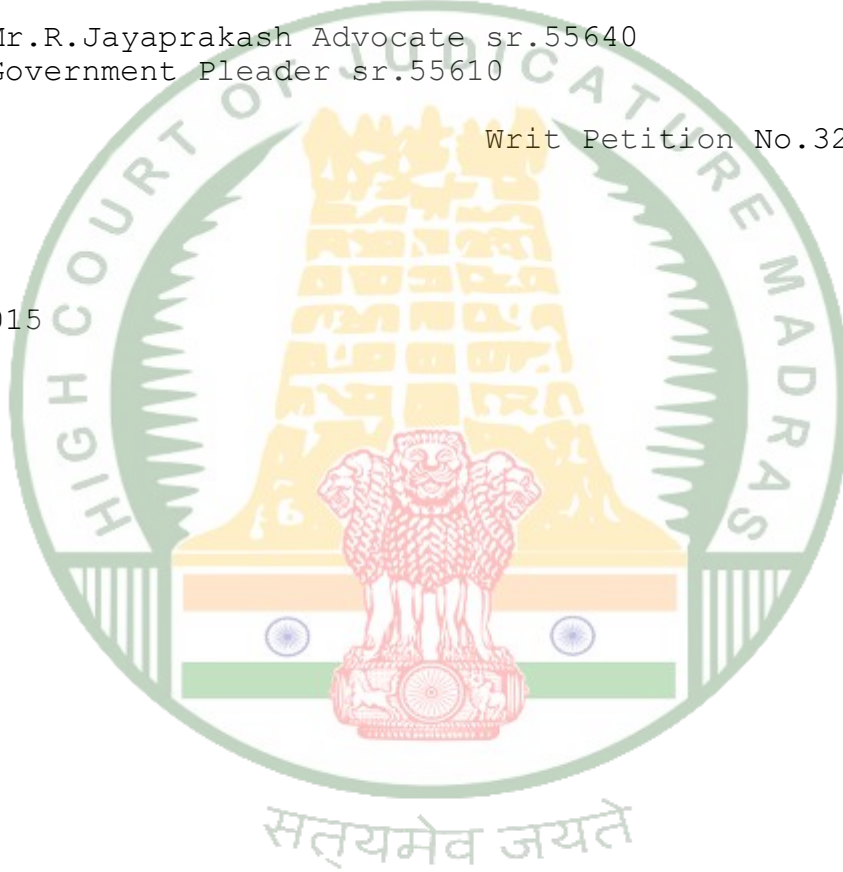
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+1 cc to Mr.R.Jayaprakash Advocate sr.55640

+1 cc to Government Pleader sr.55610

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