

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 14.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32769/2015 and M.P.No.1 of 2015

M.Sheik Naina Mohammed

.. Petitioner

Versus

The General Manager (Administration),  
Tamilnadu State Express Transport  
Corporation, Head Office,  
Pallavan Salai, Chennai - 600 002.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of certiorari calling for the order of the respondent in his order No.038747/HR5/SETC TN/2015/3363 dated 09.09.2015 and quash the same as illegal.

For Petitioner : Mr.S.Muthukrishnan

For Respondent : Mr.P.Paramasivadoss

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioner, at present, working as Senior Grade Trademan in the Head office of the respondent/Corporation and he was placed under suspension on 05.08.2015. He was issued with a charge memo on 20.08.2015. The order of suspension passed against the petitioner was revoked during August 2015. Thereafter, the petitioner was transferred to the Headquarters, Technical section, Tuticorin.

3. The petitioner pleading family circumstances, has submitted a representation dated 03.10.2015 to the General Manager of the respondent/Corporation and since no orders have been passed, he came forward to file this writ petition.

4. Learned counsel for the petitioner would submit that the petitioner is unwell and his family is settled at Tiruchirappalli and he is residing at Chennai along with his mother for the purpose of taking medical treatment and his son and daughter are studying at Chennai and therefore, made a request for transfer and since it has not been considered, the petitioner is constrained to approach this Court by filing this writ petition.

5. Per contra, Mr.P.Paramasivados, learned counsel who accepts notice on behalf of the respondent, would contend that the order of transfer came to be passed on administrative ground and therefore, the petitioner cannot make any grievance and prays for dismissal of this writ petition.

6. This Court heard the rival submissions made on either side and also perused the materials placed before it.

7. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the respondent to consider and dispose of the petitioner's representation dated 03.10.2015 seeking for transfer either to Tiruchy or to Tanjavur, on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

8. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.  
AP

Sd/-  
Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

The General Manager, (Administration),  
Tamilnadu State Express Transport  
Corporation, Head Office,  
Pallavan Salai,  
Chennai - 600 002.

+1 C.C. To MR.S.Muthukrishnan, Advocate in SR.NO..56471

+1 C.c. To MR.P.Paramasiva doss, Advocate in SR.NO.56465

W.P.No.32769/2015

JP (CO)  
sd : 28/10/2015