

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.4892 of 2015 and
M.P.No.1 of 2015

R.Sasikumar

...Petitioner

Vs.

The Superintending Engineer,
Dharmapuri Electricity D.Circle,
Dharmapuri -5.

...Respondent

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorari, calling for the records from the office of the Superintending Engineer Dharmapuri Electricity D.Circle/Dharmapuri - 5 in Memo No.00990/Adm. 111/A 1/F DP/2015 - 1 dated 19.02.2015 and quash the same.

For Petitioner : Mr.D.Sivashanmugam

For Respondent : Mr.Fakkir Mohideen

O R D E R

The petitioner challenges the order dated 19.02.105, whereby and where under, he was transferred from Palacode Town Section to Kambainallur-II on administrative grounds.

2. According to the petitioner, condition of his mother is not satisfactory and as such, it would not be possible for him to work at Kambainallur after travelling about 50 kms from his residence.

3. The learned Standing Counsel for the respondent submitted that transferred place is less than 50 kms and as such, it would not be difficult for the petitioner to join there.

4. The affidavit in support of the writ petition clearly indicates that the petitioner has been working at Palacode Town Section right from 2006. Transfer being an exigency of service, the petitioner cannot be heard to say that he should be posted permanently at Palacode and he would not be amenable to transfer. I am therefore of the view that the petitioner should join duty at the transferred place forthwith. The petitioner is given time till 09.03.2015 to join duty.

5.The petitioner is given liberty to submit a comprehensive representation after a period of 60 days from the date of joining requesting the respondent to post him at a nearby place. In case, any such representation is given, the same shall be considered and

disposed of by the respondent on merits and as per law. Such exercise shall be completed within a period of eight weeks from the date of receipt of representation.

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

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

svki

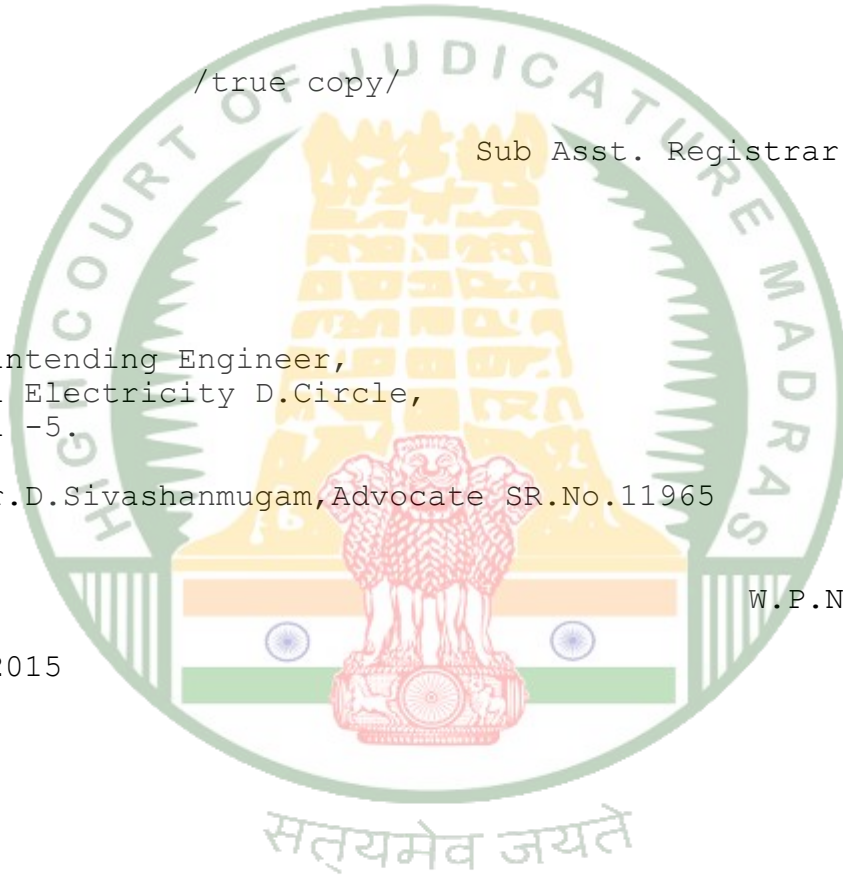
To

The Superintending Engineer,
Dharmapuri Electricity D.Circle,
Dharmapuri -5.

+1cc to Mr.D.Sivashanmugam, Advocate SR.No.11965

ppa[co]
gp/09.03.2015

W.P.No.4892 of 2015



WEB COPY