



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2015

CORAM :

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition (MD) No.183 of 2015

and MP(MD)Nos.1 & 2 of 2015

K.Sankaran (Sub Inspector of Surveyor) ... Petitioner

Vs.

1. The Chief Secretary,
Government of Tamil Nadu,
O/o.Secretariat, Chennai 600 009.

2. The Secretary,
Revenue and Survey Department,
Secretariat, Chennai 600 009.

3. The Commissioner cum Director,
Survey and Settlement Department,
Survey House,
Chepauk, Chennai 600 005.

4. The District Collector,
Tirunelveli District,
Tirunelveli.

5. P.Raju, [Retd.]
The Assistant Director (Survey and Land Records)
O/o.Tirunelveli Collectorate,
Kokirakulam, Tirunelveli.

6. Duraisamy,
Taluk Deputy Surveyor,
Shenkottai Taluk Office,
Shenkottai,
Tirunelveli District.

7. Kottiappan,
Sub Inspector of Surveyor,
Sankarankoil Taluk Office,
Tirunelveli District.

8. Shanthi,
Taluk Deputy Surveyor,
Sivagiri Taluk Office,
Tirunelveli District.

... Respondents



Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to initiate departmental proceedings against the respondents 5 to 8.

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For Petitioner : Mr.A.D.Ganeshamoorthy
For Respondents 1-4 : Mr.D.Muruganandam,
Additional Government Pleader.

ORDER

Heard the learned counsel appearing for the petitioner and Mr.D.Muruganandam, learned Additional Government Pleader, who takes notice on behalf of the respondents 1 to 4. By consent, the writ petition itself is taken up for final disposal at the admission stage.

2.The petitioner seeks for a Mandamus directing the respondents 1 to 4 to initiate departmental proceedings against the respondents 5 to 8.

3.It is seen that the petitioner is seeking departmental action against the respondents 5 to 8 on the ground that they have passed repeated order of transfers as well as order of compulsory retirement against the petitioner. It is also seen that the petitioner has challenged those proceedings then and there. When that being the factual position, I am not able to appreciate that the petitioner's claim has any *bona fide* in seeking for departmental proceedings against the respondents 5 to 8 merely because they issued some transfer orders and order of compulsory retirement against the petitioner. Needless to mention that if any adverse order is passed against the petitioner, it is for him to challenge the same before the Court of law and he cannot seek departmental proceedings against any person who issued the said order.

4.With the above observation, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(C.O.,)

/True Copy/

Sub-Assistant Registrar



To

1. The Chief Secretary,
Government of Tamil Nadu,
O/o.Secretariat,
Chennai 600 009.
2. The Secretary,
Revenue and Survey Department,
Secretariat,
Chennai 600 009.
3. The Commissioner cum Director,
Survey and Settlement Department,
Survey House,
Chepauk, Chennai 600 005.
4. The District Collector,
Tirunelveli District,
Tirunelveli.

+1cc to Mr.A.D.Ganeshamoorthy, Advocate, in SR. No.1411.

+1cc to Special Government Pleader, in SR No.982.

Writ Petition (MD) No.183 of 2015
08.01.2015

sms

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