

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.12100 of 2016

P.Marimuthu

... Petitioner

Vs.

- 1.The Managing Director,
Hindustan Aeronautical Limited,
Hal Corporate Office,
15/1, Cubbon Road,
Bangalore-560 001.
- 2.The Executive Director,
Hindustan Aeronautical Limited,
Engine Division, Koraput,
P.O., Sunabeda-763 002.
District Koraput, Odisha State.
- 3.The Additional General Manager, (HR),
Sukhoi Engine Division,
HAL (MiG Complex),
Engine Division, Doraput,
P.O., Sundabeda-763 002.
Koraput-763 002, Odisha State.
- 4.T.R.Behera,
Chief Manager (HR),
The Hindustan Aeronautical Limited,
Engine Division, Koraput,
P.O., Sunabeda-763 002.
Koraput-763 002, Odisha State.
- 5.The Chief Commissioner for person with
Disabilities, Ministry of Social Justice & Endowment,
Department of Disability Affairs,
Sarojini House, No.6, Bhagwan Dass Road,
New Delhi-110 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the respondents in

connection with the impugned order issued by the 4th respondent in HAL/HR/PF-8997/2015/3617, dated 30.09.2015 and to quash the same and further, to direct the 1st respondent to consider the case of transfer of the petitioner to any one of the Divisions in Bangalore under the disability grounds in the light of the recommendation of the 5th respondent in case No.2071/1022/2014, dated 17.06.2014.

For Petitioner : Mr.R.Dhinesh Kumar
For respondents : M/s.Gupta & Ravi (For R1 to R4)
Mr.Srinivasan, AGP (For R5)

ORDER

This writ petition has been filed by the petitioner, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the respondents in connection with the impugned order issued by the 4th respondent in HAL/HR/PF-8997/2015/3617, dated 30.09.2015 and to quash the same and further, to direct the 1st respondent to consider the case of transfer of the petitioner to any one of the Divisions in Bangalore under the disability grounds in the light of the recommendation of the 5th respondent in Case No.2071/1022/2014, dated 17.06.2014.

2.When the matter is taken up for consideration, the learned counsel for the respondents 1 to 4, by filing a counter, submitted that the petitioner herein is employed with the respondents 1 to 4 at Koraput, wherein he has been allotted a family accommodation and now, the petitioner seeks transfer to Bangalore; that the offices of the respondents are also situated out the jurisdiction of this Court; that no part of cause of action has arisen within the jurisdiction of this Court; under such circumstance, the writ petition is liable to be dismissed for want of jurisdiction.

3.The learned counsel for the petitioner has also accepted the submission made by the learned counsel for the respondents with regard to the jurisdiction.

4.In view of the above, the writ petition is dismissed, solely on the ground of jurisdiction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssv

To

- 1.The Managing Director,
Hindustan Aeronautical Limited,
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15/1, Cubbon Road,
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Department of Disability Affairs,
Sarojini House, No.6, Bhagwan Dass Road,
New Delhi-110 001.

+1cc to Mr. Gupta & Ravi, Advocate, S.R.No.56537

+1cc to Mr.Su Srinivasan, Advocate, S.R.No.58387

rsk (CO)

md (10/11/2016)

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