

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.05.2016

Coram

The Honourable Mr.Justice M.V.MURALIDARAN

W.P.No.18531 of 2016

and WMP.No.16214 of 2016

B.Suseelkumar

... Petitioner

Vs.

1.The Principal Secretary to Government,
Commercial Taxes Department,
Secretariat, Chennai-600 009.

2.The Secretary,
Personnel and Administrative Reforms,
Department, Secretariat,
Chennai-600 009.

3.The Principal Secretary/Commissioner of
Commercial Taxes,
Commercial Taxes Department,
Ezhilagam, Chennai-600 005 .

... Respondents

Prayer: This writ petition is filed under Article 226 of Constitution of India, seeking a writ of mandamus directing the respondents to consider the representation dated 15.04.2016 given by the petitioner and pass orders before effecting general transfer for the year 2016 in the post of Joint Commissioner.

For Petitioner : Mr.M.Senthilkumar

For Respondents : Mr.Kanmani Annamalai,
Addl.Government Pleader (Taxes)

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O R D E R

The petitioner has come up with the present writ petition for issue of a writ of mandamus to direct the respondents to consider the representation dated 15.04.2016 given by him and pass orders before effecting general transfer for the year 2016 in the post of Joint Commissioner.

2. The case of the petitioner is that during the tenure of his work as Deputy Commissioner (Commercial Taxes Department),

for the period from 2010 to 2015, he was not given any chance to work in any of the Assessment/Territorial Wings. According to the petitioner, after the promotion, he was directly posted in the Appellate Wing without giving an opportunity to work in Territorial Wing and Enforcement Wing. The further case of the petitioner is that his juniors viz., Mrs.K.M.Karthikeyan, Joint Commissioner (CT), Tirunelveli and Mrs.Ponmala, Joint Commissioner (CT), Enforcement, Madurai, were given chances to work in Territorial/Enforcement superseding his seniority. The petitioner, therefore, sought the above relief to consider his representation dated 15.04.2016 and pass orders before effecting general transfer for the year 2016 in the post of Joint Commissioner by following the guidelines prescribed in Government Order in G.O.3(D).No.24 dated 01.08.1995, G.O.Ms.No.184 dated 16.06.1994 and G.O.Ms.No.10 dated 07.01.1994 issued by the Government.

3. Mr.Kanmani Annamalai, learned Additional Government Pleader (Taxes) appearing for the respondents submits that three weeks time may be given to the respondents to consider and pass orders on the representation of the petitioner dated 15.04.2016.

4. Considering the above submission of the learned Additional Government Pleader, the respondents are directed to consider the representation of the petitioner dated 15.04.2016 by following the guidelines prescribed in Government Order in G.O.3(D).No.24 dated 01.08.1995, G.O.Ms.No.184 dated 16.06.1994 and G.O.Ms.No.10 dated 07.01.1994 issued by the Government and pass orders within a period of three weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected WMP is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
Commercial Taxes Department,
Secretariat, Chennai-600 009.

2.The Secretary,
Personnel and Administrative Reforms,
Department, Secretariat,
Chennai-600 009.

3.The Principal Secretary/Commissioner of
Commercial Taxes,
Commercial Taxes Department,
Ezhilagam, Chennai-600 005.

+lcc to M/S.M.Senthilkumar, Advocate Sr.28787
+lcc to the Special Government Pleader Sr.28795

W.P.No.18531 of 2016

sns[co]
srg 26/05/2016



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