

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2016

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.33890 of 2015

and M.P.No.2 of 2015

K.Kumaran,
SI/Min No.964850011,
CISF Unit, CPCL Manali,
Chennai 600 068

... PETITIONER

Vs

1. The Deputy Commandant
CISF Unit,
CPCL, Manali, Chennai 600 068
2. The Group Commandant,
CISF, Group Head Quarters,
Block-D, Rajaji Bhavan,
Besant Nagar, Chennai 600 090.
3. The Deputy Inspector General,
CISF, South Zone Head Quarters,
Block-D, Rajaji Bhavan,
Besant Nagar, Chennai 600 090.
4. The Inspector General,
Central Industrial Security Force,
Southern Sector Head Quarters,
Chennai Port Trust,
Chennai 600 009.
5. The Assistant Inspector General/Estt.
Office of the Director General,
Central Industrial Security Force,
No.13, CGO Complex,
Lodhi Road, New Delhi 110 003.

.. RESPONDENTS

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the fifth respondent in the Service Order No.425 order No.E-

38099/(59)/ DGEM/2015/ SO/ESTT-II/2455 dated 20.05.2015 in so far as the item 2 is concerned and the Movement Order No. E-CPCL/Posting/ Adm/2015/2578 dated 17.10.2015 issued by the first respondent and to quash the same in so far as Serial No.2 is concerned and to direct the respondents to retain the petitioner at CPCL, Manali till the forthcoming inter zonal transfer 2016 with TA/DA Benefits.

For Petitioner : Mr.A.S.Mujibur Rahman

For Respondents : Mr.T.L.Thirumalaiswamy,
Senior Counsel

O R D E R

Heard Mr.A.S.Mujibur Rahman, learned Counsel appearing for the petitioner and Mr.T.L.Thirumalaiswamy, learned Senior Counsel appearing for the respondents.

2. The petitioner has challenged the order of transfer on the ground that he was not granted the transfer benefits. The respondents have filed counter affidavit stating that subsequent to the filing of the Writ Petition, the respondents have granted the transfer benefits to the petitioner. Para 17 of the Counter Affidavit which reads as follows:-

17. As already submitted in the preceding paras, the petitioner was not granted transfer benefits as per Supplementary Rules 114, for the reason that the transfer is on his own request. However, in view of his grievance mentioned at para 3 and 4 of the Affidavit that he needed to consult Dr.Atul Goel of Lilavathi Hospital Mumbai who had operated his wife for brain tumor in FM region in 2010 and he has already incurred heavy expenses for her medical treatment, as a special case, his case for grant of Transfer benefits was again taken up with CISF HQrs New Delhi by the Zonal HQrs, Chennai. Accordingly, CISF HQrs, New Delhi vide letter No.E-38019/5(24)/2015/SO/Estt-II/7606 dated 14.12.2015 (EXHIBIT-14) has agreed and granted transfer benefits to the petitioner to move on transfer to CISF Unit, ONGC Mumbai as per his original request.

3. In view of the stand taken by the respondents that the petitioner was granted transfer benefits as per the request, nothing survives for consideration in this Writ petition. Accordingly, by recording the statement made by the respondents in the Counter Affidavit, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

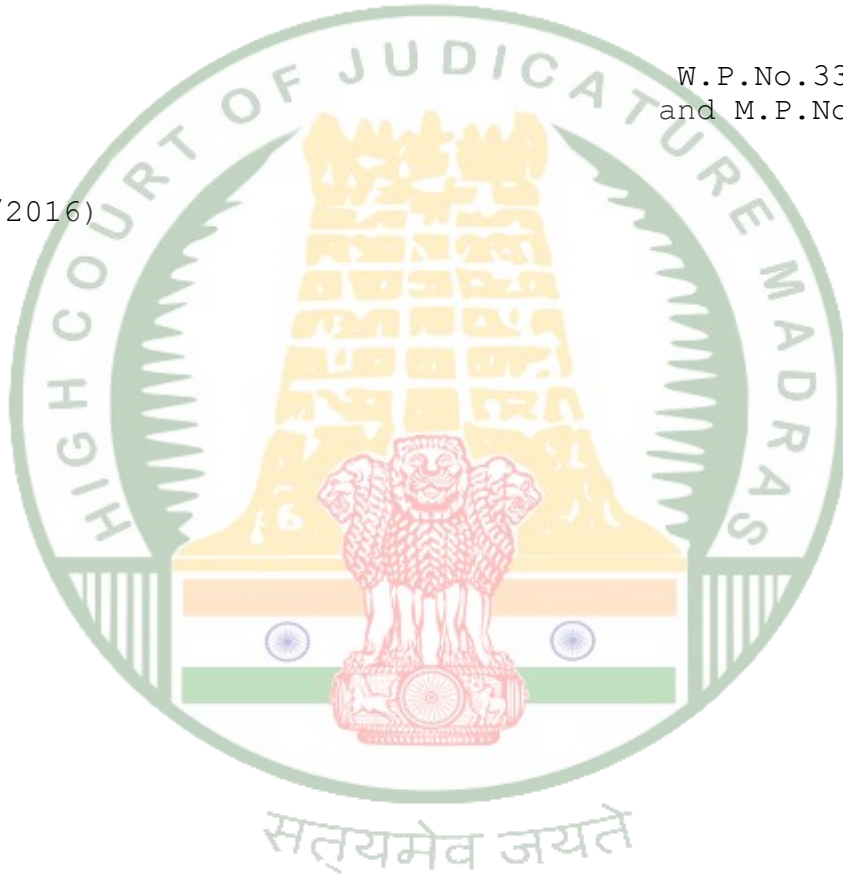
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+1cc to M/S.A.S.Mujibur Rahman, Advocate, S.R.No.3168
+1cc to Mr.T.L.Thirumalaisamy, Advocate, S.R.No.3431

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vd(CO)
srg(24/02/2016)



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