

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.23399 of 2016
and
W.M.P.Nos.20060 & 20061 of 2016

K.Sekar

... Petitioner

Vs.

The Joint Director of Agriculture,
Collectorate Campus Combined Building,
Villupuram & District.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of certiorari, to call for the entire records relating to the impugned order passed by the respondent in his letter no.A4/7594/2016, dated 30.06.2016 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.Gunasekaran,
Additional Government Advocate

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a certiorarified mandamus to call for the entire records relating to the impugned order passed by the respondent in his letter no.A4/7594/2016, dated 30.06.2016 and quash the same.

3. It is the case of the petitioner that the petitioner was appointed as Assistant Agricultural Officer in the Agricultural department in the year 1981. At present, the petitioner is working at Tagal @ Yal Group at Rishianthiyam, Villupuram District and he was going to retire from service on 31.03.2017. Whiles, the respondent has passed order vide Letter No.A4/7594/2016 dated 30.06.2016, whereby transferring the petitioner to Kalyanamoondi Group at Kaanai Assistant

Director of Agriculture Officer. Challenging the same, the present Writ Petition has been filed.

4. When the matter is taken up for consideration the learned counsel for the petitioner submitted that the petitioner is at the verge of retirement and he is hardly having 5 months for his superannuation. But, at this juncture, the transfer order has been passed by the respondent. Thus, he sought for quashing of the impugned order.

5. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Advocate, who has taken notice on behalf of the respondent.

6. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court is not inclined to quash the order, since the petitioner has not made out any case on merits to quash the order except saying that he is in the verge of retirement and sought for quashing the said transfer order.

7. Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty to make a representation to the respondent on the request to retain him in the same place. On receipt of the same, the respondent is directed to consider the same and pass appropriate order, within a period of six weeks from the date of receipt of a copy of this order and it is for the respondent to consider the representation of the petitioner purely on merits. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

mrp

To

The Joint Director of Agriculture,
Collectorate Campus Combined Building,
Villupuram & District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.54272

+1cc to the Government Pleader, S.R.No.54690

W.P.No.23399 of 2016

SCD(CO)

CA(30/09/2016)