

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.15530 of 2012
and M.P.No.2 of 2012

D.VIJAYAN
S/O.DAMODHARAN P.G.ASSISTANT (CHEMISTRY)
G.T.R.HIGHER SECONDARY SCHOOL,
KARUMANDURAI, SALEM DISTRICT ... PETITIONER

Vs.

- 1 THE COMMISSIONER OF ADI DRAVIDAR
AND TRIBAL WELFARE,
CHEPAUK, CHENNAI
- 2 K.MURUGESAN
POST GRADUATE TEACHER (CHEMISTRY)
G.T.R.HIGHER SECONDARY SCHOOL,
VELLIGOUNDANUR, SALEM DISTRICT
- 3 THE DISTRICT ADI DRAVIDAR
AND TRIBAL WELFARE OFFICER,
SALEM. ... RESPONDENTS

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari Mandamus, calling for the records of the 1st respondent in connection with the impugned order passed in and by proceedings Pro.Na.Ka.No.A2/ 840/2012 dated 1.6.2012 quash the same and consequently direct the 1st respondent official respondents to transfer and post the petitioner in G.T.R. Higher Secondary School Attur, Salem District in the place of the second respondent.

For Petitioner : Mr.M.Ravi

For Respondents 1 &3 : Mr.A.Kumar, Spl.G.P.

For Respondent No.2 : Mr.T.Murugamanickam

O R D E R

After some elaborate arguments, the learned counsel for the petitioner would state that his wife is working as P.G. Assistant (English) in Government Boys Higher Secondary School, Athur which is 55 Kms away from Karumandurai where the petitioner is working as P.G. Assistant (Chemistry) in GTR Higher Secondary School, Karumandurai from 11.8.2005. Hence, he would have been given preference for transfer to Athur.

2 As rightly pointed out by the learned counsel for the respondents 1 & 3 that on the basis of seniority and health ground, preference was given to the second respondent for transfer to Athur. Therefore, there is nothing wrong in that order. The respondent will consider the request of the petitioner at the time of promotion of the second respondent.

3 In view of the above, this writ petition is disposed of with a direction to the respondents 1 and 3 to consider the representation of the petitioner, dated 11.11.2011 at the time of promotion of the second respondent. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1 THE COMMISSIONER OF ADI DRAVIDAR
AND TRIBAL WELFARE,
CHEPAUK, CHENNAI

2 THE DISTRICT ADI DRAVIDAR
AND TRIBAL WELFARE OFFICER,
SALEM.

1 cc to The Government Pleader, sr.31950

1 cc to Mr.T.Muruga manickam, Advocate, sr.31738

1 cc to Mr.M.Ravi, Advocate, sr.32044

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kra 27.06.2016