

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31456 of 2016

C.Muthu

... Petitioner

Vs.

1.The Secretary to Government,
Youth Welfare & Sports Development Department,
Fort St.George,
Chennai - 600 009.

2.The Member Secretary,
Sports Development Authority of Tamil Nadu,
Nehru Park,
Chennai. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 29.04.2016 regarding transfer to Chennai, within a time frame.

For Petitioner : M/s.G.Bala and Daisy
For Respondents : Mr.R.Venkatesh [for R1]
Government Advocate
Mr.I.Sathish [for R2]

सत्यमेव जयते
O R D E R

With the consent of both sides, the main writ petition is taken up for final disposal.

2. The present writ petition has been filed praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 29.04.2016 regarding his transfer to Chennai.

3. The petitioner is stated to be a NIS qualified Gymnastics Coach and completed his training at National Institute of Sports, Patiala, Haryana. He was appointed as Physical Education Teacher at Government Higher Secondary

School, Saidapet and later he was selected as Gymnastics Coach by the Sports Development Authority of Tamil Nadu and was posted at SDAT Aquatic Complex, Velacherry, Chennai, during the year 2012. It is stated that during his service at SDAT, he had trained hundreds of gymnasts and few of them had even won National Level Medals and State Medals. While so, the petitioner has been transferred to Vellore, Coimbatore and then to Karur in the year of 2012 and 2013 and now he is working at Karur. It is the grievance of the petitioner that to train gymnasts, the gymnasium should be properly equipped with apparatus to render training. However, the place where the petitioner has been posted now, does not have any gymnastic equipments and it seems that he had also made request to the concerned authorities to do the needful in providing the same, but in vain, no action was taken.

4. It is stated by the petitioner that at present more than 120 students are undergoing training at SDAT Aquatic Centre, Chennai, where only one coach is available. It is the contention of the petitioner that several coaches are required at the Hall of Gymnastics, SDAT Aquatic Centre, Chennai, to train the students and several vacancies exists there as of today, but no action was taken by the respondent to fill up the said post. Moreover, the gymnastic coach, who is at present working in SDAT Aquatic Centre, Chennai, has high political influence and has been placed in continuous service of 12 years in the said Centre. The petitioner has also stated that his family is placed in Chennai and his wife has recently undergone surgery and that his children are studying at Chennai. It appears that several representations in this regard has been made to the respondent, but no action was taken. Aggrieved by which, the petitioner is before this Court seeking a direction to the respondents to consider his representation dated 29.04.2016.

5. Considering the submissions made by the learned counsel for the petitioner, this Court directs the petitioner to give a copy of the representation dated 29.04.2016 to the second respondent along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to consider the same and pass appropriate orders within a period of four weeks thereafter. It is made clear that this Court has not expressed any opinion on merits of the claim of the petitioner and it is for the second respondent to decide the same.

With the above observation and direction, the Writ Petition is disposed of.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To:

- 1.The Secretary to Government,
Youth Welfare & Sports Development Department,
Fort St.George,
Chennai - 600 009.
- 2.The Member Secretary,
Sports Development Authority of Tamil Nadu,
Nehru Park,
Chennai.

+1cc to Mr.G. Bala & Daisy, Advocate, S.R.No.62029
+1cc to the Government Pleader, S.R.No.62492

ISR(CO)
md(23/11/2016)

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