

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.34352 of 2016

And

W.M.P.No.29613 of 2016

Salai Ram Sakthivel

... Petitioner

Vs.

- 1 The Director General of Police,
Mylapore,
Chennai - 600 004.
- 2 The Inspector General of Police,
West Zone,
Coimbatore - 641 018.
- 3 The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore - 641 018. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing 1st respondent to consider recalling its order proceedings in Rc.No.5111/999/NGB V (1)/P 03/2016 dated 19.09.2016 and consequently to either retain the petitioner in Coimbatore City or in any station in Coimbatore District based on the representation of the petitioner dated 26.09.2016 herein.

For Petitioner : Mr.M.Purushothaman

For Respondents : Mr.N.Srinivasan

Additional Government Pleader

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing first respondent to consider recalling its order proceedings in Rc.No.5111/999/NGB V(1)/P 03/2016 dated 19.09.2016 and consequently to either retain the petitioner in Coimbatore City or in any station in Coimbatore District based on the representation of the petitioner dated 26.09.2016 herein.

3.The petitioner would state that he is working in the

Police Department for the past nineteen years and while he was working as Inspector of Police, E-1, Singanallur Crime Police Station, Coimbatore City, on 19.09.2016 the first respondent in his proceedings in Rc.No. 5111/999/NGB V(1)/P 03/2016 issued orders transferring him from Coimbatore City to West Zone and was relieved by the office of the Coimbatore City Police Commissioner on 22.09.2016. Thereafter, the third respondent vide proceedings dated 24.09.2016 made in C.No.A1/8874/2016, issued transfer orders.

4.The petitioner would further state that it was only two and half years since he was transferred from the Central Zone and that he is having aged parents who are under the regular monitoring in Kovai Medical Centre and Hospital and his daughter is studying X Standard and his son is a college going adolescent whom he have to watch and that he is also having whizzing problem. The petitioner in this regard, made representation to the respondent requesting to transfer him back to Coimbatore by cancelling the orders issued by the respondents 1 and 3. Since it evoked no response, the petitioner came forward to file this writ petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader who takes notice for the respondents.

6.Considering the facts and circumstances of the case, this Court is of the view that the petitioner who is working as the Inspector of Police, as a responsible person cannot seek for the relief of recalling the order of transfer, since the reasons assigned by the petitioner to recall the transfer is of common in nature. Hence, this Court is not inclined to grant a direction as prayed for by the petitioner and hence, this petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

- 1 The Director General of Police,
Mylapore,
Chennai - 600 004.
- 2 The Inspector General of Police,
West Zone,
Coimbatore - 641 018.

3 The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore - 641 018.

+2 cc's to Mr.M.Purushothaman,advocate,sr.56118

+1 cc to Government Pleader,sr.56460.

ca(co)
krd 22/11

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