

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.38516 of 2016
and WMP.No.32995 and 32996 of 2016

R.Anbalagan .. Petitioner

vs.

1.The Tahsildar,
Perur,
Coimbatore District.

2.The Collector,
Coimbatore District.

.. Respondents

[R2 impleaded as per the order dated 29.11.2016
made in WMP.No.35866 of 2016]

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records connected with the proceedings issued in Ref.No.8742/16/1A2 dated 31.10.2016 passed by the respondent and quash the same and consequently direct the respondent to allow the petitioner to continue at Kumarapalayam Village.

For Petitioner : Mr.S.Ilamvaludhi

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Certiorarified Mandamus to quash the proceedings of the first respondent in Ref.No.8742/16/1A2 dated 31.10.2016 and consequently direct the respondent to allow the petitioner to continue at Kumarapalayam Village.

2. The petitioner joined as Village Assistant on 11.01.1985 at Puluwapatti Village and transferred to the present Kumarapalayam Village and he has completed 22 years of service in the said village. While so, vide order dated 18.10.2016, the first respondent transferred the petitioner from Kumarapalayam

Village to Sithiraichavadi Village on administrative grounds. Challenging the same, the petitioner earlier filed W.P.No.37060 of 2016 and this Court, vide order dated 24.10.2016, disposed of the said writ petition by directing the petitioner to give a detailed representation to the respondent along with a copy of the order and the respondent, on receipt of the same, was directed to consider the said representation of the petitioner within a stipulated time frame. Pursuant to the order passed by this Court, the petitioner sent a representation to the respondent on 25.10.2016, but the same was rejected by the first respondent, vide proceedings dated 31.10.2016. Challenging the same, the petitioner has come forward with the present writ petition.

3. At the time of arguments, the learned counsel appearing for the petitioner would submit that the petitioner is prepared to give a representation to the second respondent/Collector along with a copy of this order and it would suffice, if a direction is given to the Collector to consider his representation.

4. Heard Mr.K.Dhananjayan, learned Special Government Pleader and also perused the materials available on record.

5. This Court, without going into the merits of the claim projected by the petitioner, permits the petitioner to give a fresh representation, seeking to allow the petitioner to continue at Kumarapalayam Village, 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 and on such representation being made, the second respondent shall 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 and it is for the respondents to decide purely on merits.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

WEB COPY
Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Tahsildar,
Perur,
Coimbatore District.

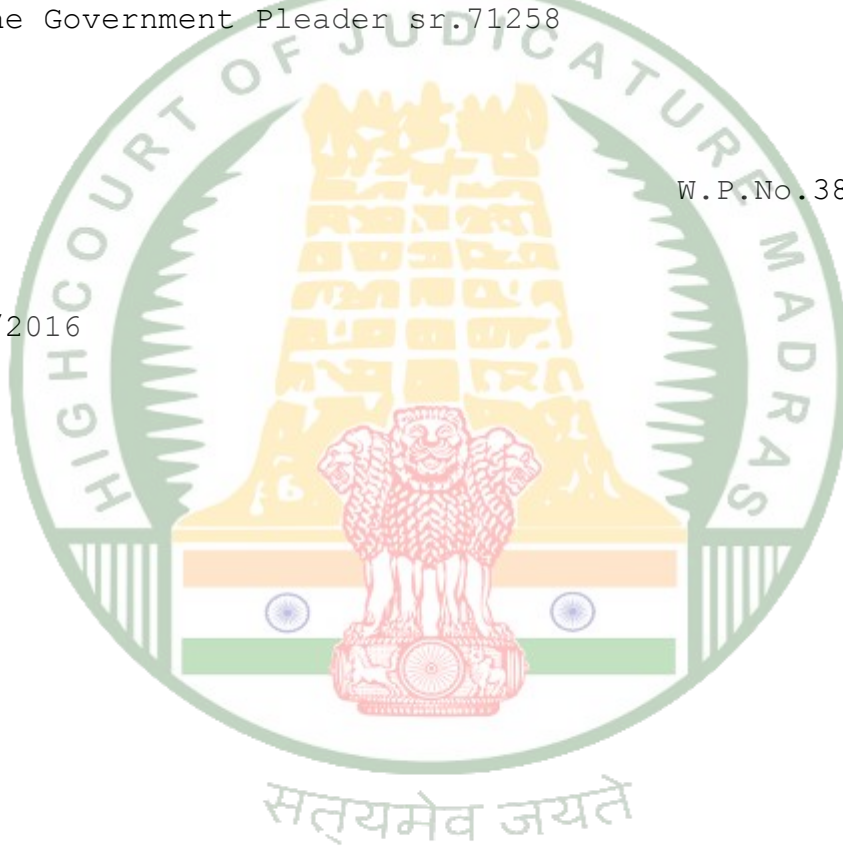
2.The Collector,
Coimbatore District.

+1cc to M/S.S.Ilamvaludhi, Advocate Sr.71581

+1cc to the Government Pleader sr.71258

W.P.No.38516 of 2016

rp[col]
srg 14/12/2016



WEB COPY