

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.387 of 2016

Tmt.K.Rami

... Petitioner

Vs.

The Director
Adi Dravidar Welfare Department
Chepauk, Chennai-5.

2.The District Adi-dravida & Tribal
welfare officer, Cuddalore.

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the first respondent to transfer the petitioner from Pulichchapallam, Adi Dravida Welfare Girls Hostel, Vanur Taluk Villupuram District to any other place with District of Cuddalore as per G.O.Ms.No.930, P&AR (Personnel-M) Dept dated 26.07.1977.

For Petitioner : Mr.P.Immanuel Prakasam.

For Respondents : M/s.V.Jayaprakash Narayanan, Spl.GP.

O R D E R

This writ petition is filed for issuing writ of mandamus directing the first respondent to transfer the petitioner from Pulichchapallam Adi Dravidar Welfare Girls Hostel, Vanur Taluk, Villupuram District to any other place in the District of Cuddalore as per GO.Ms.No.930, P&AR (Personnel-M) Department dated 26.07.1977.

2.The case of the petitioner is that she was appointed as B.T.Assistant in the District of Cuddalore, she was transferred on the basis of deployment to Adi Dravidar Welfare, Pulichchapallam hostel, Villupuram District by order dated 25.09.2014.

3.The petitioner would state that her husband K.Palanivel is working as Health inspector at Kurinchipadi, Cuddalore District and her aged parents-in-law are in Cuddalore and her children are also studying in the school at Kurinchipadi. It is further stated that she has to travel 70kms daily to attend duty, which causes much inconvenience to her. The petitioner

would claim that there are number of vacancies in the District of Cuddalore. Therefore, she made a representation on 30.09.2015 seeking transfer to a school at Cuddalore District. Further, as per GO.Ms.No.930 P&AR (Personnel-M) Department dated 26.07.1977, the petitioner is entitled to post her where the spouse is working.

4.Mr.P.Immanuel Prakasam, learned counsel would submit that the petitioner has obtained an information under the Right to Information Act which shows that there are nine vacancies in Cuddalore District and pleaded this Court to post the petitioner at Government Adi Dravidar Higher Secondary School, Madhuranthagallur.

5.Heard the submissions of Mr.P.Immanuel Prakasam, learned counsel appearing for the petitioner and M/s.V.Jayaprakash Narayanan, Special Government Pleader who accepts notice on behalf of the respondents.

6.This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider the representation of the petitioner dated 30.09.2015 and pass orders on merits and in accordance with law and in the light of the GO.Ms.No.930 P&AR (Personnel-M) Department dated 26.07.1977, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

7.The Writ Petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CSII)

True Copy

Sub-Assistant Registrar

tsh
To

The Director
Adi Dravidar Welfare Department
Chepauk, Chennai-5.

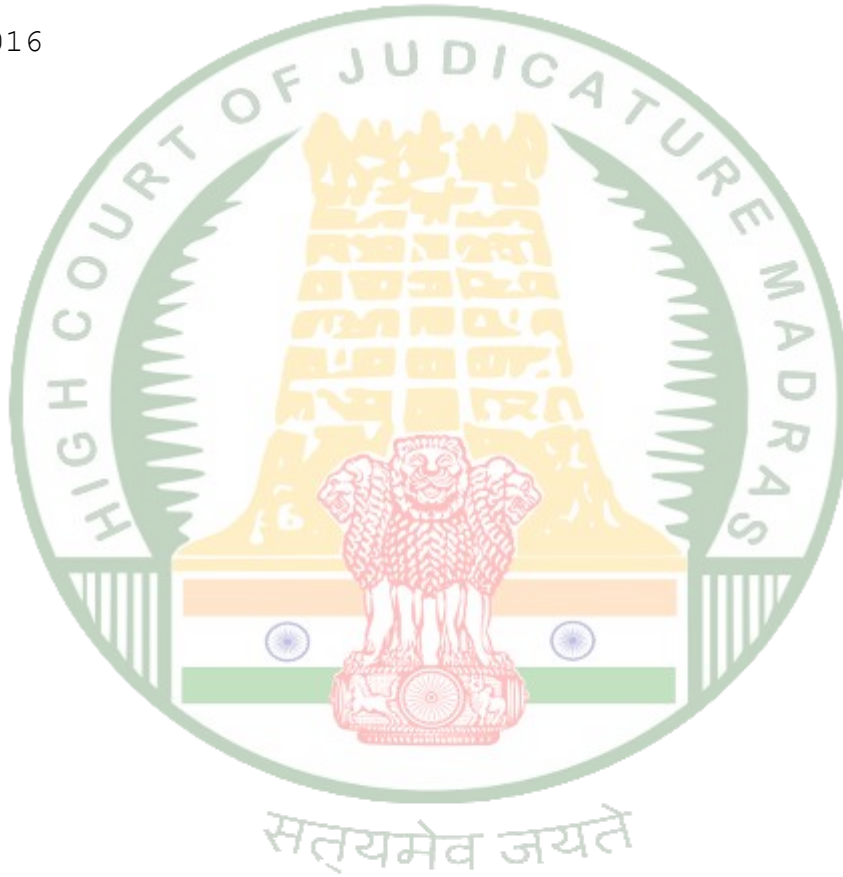
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2.The District Adi dravida & Tribal
welfare officer, Cuddalore.

+1 cc to Government Pleader sr.1380/16
+1 cc to Mr.P.Immanuel Prakasam Advocate sr 1312/16

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