IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.4508 of 2016

M.Noor Mohamed ... Petitioner

Vs.

1.The Director General of Police,
Tamil Nadu,
Mylapore,
Chennai-600 004.

2.The Additional Director General of Police,
Armed Police, Kilpauk,
Chennai-600 010.

3.The Additional Director General of Police,
Central Branch CID,
Egmore,
Chennai-600 008.

4.The Commandant,
V Battalion,
Avadi, Chennai. ... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the first respondent to pass orders, on the recommendation made by the third respondent dated 03.08.2015, for considering the petitioner's request for transfer to Taluk Police either to Cuddalore or Villupuram District, within a reasonable time as fixed by this Court.

For Petitioner : Mr.K.Venkataramani, Sr. Counsel
for Mr.M.Muthappan
For Respondents : Mr.A.Kumar,
Special Government Pleader

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O R D E R

This Writ Petition has been filed by the petitioner seeking a Writ of Mandamus, directing the first respondent to pass orders, on the recommendation made by the third respondent dated 03.08.2015, for considering his request for transfer to Taluk Police either to Cuddalore or Villupuram District.

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2.Heard Mr.K.Venkataramani, learned Senior counsel for the petitioner. Mr.A.Kumar, learned Special Government Pleader takes notice on behalf of the respondents.

3.The petitioner was appointed as Grade-II Police Constable in the TSP V Battalion, Avadi, Chennai on 15.04.1986 and was promoted as Havildhar on 24.11.195. Thereafter, he was sent on deputation from the Battalion to CBCID, Cuddalore on 20.05.1996. Since then, he is continuing his service there. It is also stated that he has received 54 rewards and not put to any adverse notice so far. In this background, the petitioner has made several representation to the fourth respondent requesting for transfer to Taluk Police Establishment on par with his batchmates. But the representation of the petitioner has been considered and forwarded by the third respondent/Additional Director General of Police, Central Branch CID, Egmore, to the first respondent by his proceedings in Rc.No.A2/1894/2015, dated 03.08.2015 to consider his request on compassionate grounds. As the same has not been considered till date by the first respondent, the petitioner has come forward with this present writ petition.

4.Considering the limited scope of prayer sought for by the petitioner in this writ petition and without going into the merits of the matter whether he has got legal right or not, this Court taking note of the fact that the third respondent has forwarded the petitioner's paper seeking transfer to the Taluk Police Establishment (Local Police), the first respondent is directed to consider the petitioner's representation on merits and pass appropriate orders. The petitioner is also directed to send a copy of the representation along with the copy of the letter forwarded by the third respondent to the first respondent, within a week from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the petitioner's representation on merits and pass appropriate orders in accordance with law, within a period of eight weeks thereafter.

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

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Director General of Police,
Tamil Nadu,
Mylapore,
Chennai-600 004.

2.The Additional Director General of Police,
Armed Police, Kilpauk,
Chennai-600 010.

3.The Additional Director General of Police,
Central Branch CID,
Egmore,
Chennai-600 008.

4.The Commandant,
V Battalion,
Avadi, Chennai.

+1cc to the Government Pleader Sr.8188

+ 1 cc to Mr.M.Muthappan, Advocate Sr 8021 (30/3/16)

W.P.No.4508 of 2016

vsn(CO)
srg(29/03/2016)

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