

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.4521 of 2016

&

WMP No.3859 of 2016

K.Loganathan

... Petitioner

Vs

1. Government of Tamil Nadu
rep.by its Secretary to Government
Health and Family Welfare Department
Fort St.George, Chennai 9
2. The Director of Medical Education
162, EVR Periar Salai
Kilpauk, Chennai 10
3. The Dean
Madras Medical College
Chennai 3
4. Dr.R.Vimala
Dean, Madras Medical College
Chennai 3
5. Dr.V.Murugesan
Director of Forensic Medicine
Madras Medical College
Chennai 3

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified mandamus calling for the records of the third respondent pertaining to her proceedings in Ref.No.001664/E2(1)/2016 dated 1.2.2016 and quash the same and issue consequential directions to the respondents 2 and 5 to allow the petitioner to continue as Scientific Officer, Institute of Forensic Medicine, Madras Medical College, Chennai.3.

For Petitioner : Mr.K.S.Karthik Raja

For Respondents : Mr.A.Kumar,
Special Government Pleader

O R D E R

The petitioner Mr.K.Loganathan, who has been serving as Scientific Officer, Madras Medical College, Chennai, has been transferred and posted to Stanley Medical College, Chennai by order dated 28.1.2016 and subsequently he has been relieved by another order dated 1.2.2016. However, he has come to this Court with this writ petition seeking to challenge the impugned order of relieving dated 1.2.2016 on the ground that he has been relieved without issuing the transfer order.

2. After Notice to the respondents, the learned Special Government Pleader has produced the relevant file, in which a letter addressed by one Mr.T.Vedanayagam, Assistant Professor, Institute of Forensic Medicine, Madras Medical College has been found place, wherein the said Assistant Professor has stated that he has handed over both original orders, viz., transfer order dated 28.1.2016 and relieving order dated 1.2.2016, to the petitioner on the afternoon of 1.2.2016 and the petitioner has also received both original orders.

3. Though the respondents had mentioned that the petitioner has received both original orders, the learned counsel for the petitioner would contend that the petitioner has received only the relieving order, but not the transfer order. Since the letter dated "Nil" given by Mr.T.Vedanayagam, Assistant Professor states that both orders, viz., transfer and relieving order had been personally served upon the petitioner, the prayer in this petition has to fail. However, be that as it may, when the petitioner repeatedly submits that he has not received the transfer order, the respondents are directed to serve a copy of the transfer order dated 28.1.2016 to the petitioner, on or before 5.3.2016.

4. Considering the facts and circumstances of the case, this Court is not able to find any merit in the Writ Petition. Accordingly, the Writ Petition fails and the same is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ajr

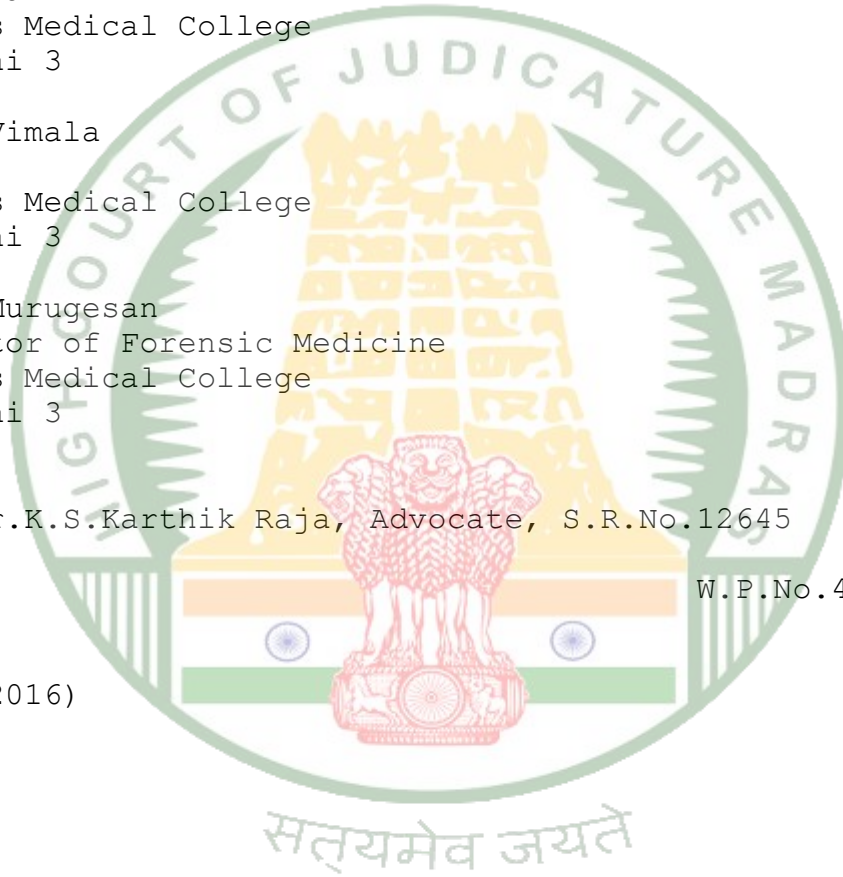
To

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Chennai 3

+1cc to Mr.K.S.Karthik Raja, Advocate, S.R.No.12645

W.P.No.4521 of 2016

SNS (CO)
CA(02/03/2016)



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