



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2016

CORAM

WEB COPY

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.19765 of 2016

M.Kamuthai

... Petitioner

-vs-

The Managing Director,
Tamil Nadu State Transport Corporation (Madurai),
Bye-pass Road,
Madurai - 625 010.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent i.e. the Managing Director, Tamil Nadu State Transport Corporation (Madurai) to consider the petitioner's representation dated 29.08.2016 regarding conversion of nomenclature from permanent transfer as on other duty and pass appropriate orders within a specified time frame that may be fixed by this Court.

For Petitioner	: Mr.S.Visvalingam
For Respondent	: Mr.A.Jayaraman
	Standing Counsel of TNSTC

O R D E R

This Writ Petition has been filed seeking a direction to the respondent to consider the petitioner's representation dated 29.08.2016 expressing grievance over conversion of nomenclature is from permanent transfer to that of transfer on account of "other duty".

2.Heard the learned counsel appearing for the petitioner and the learned Standing Counsel who takes notice for the respondent. By consent the writ petition itself is taken up for final disposal at the admission stage.

3.The petitioner, who is serving as Selection Grade Assistant, in the respondent Department, was transferred from Dindigul Region to Madurai Region on permanent basis, by the proceedings dated 20.06.2015. She joined duty on 02.07.2015. In the order of transfer, it is specifically stated that she will be



the junior most in the present category of Selection Grade Assistant with the usual terms and conditions and she is bound by the rules and regulations of Madurai Region.

4. Contrary to that, within 20 days of the order of transfer, i.e., by the order dated 10.07.2015, permanent orders of transfer has been changed and that the petitioner is made to work on "other duty". The above said change has been issued without any notice to the petitioner, which affects her promotion as Superintendent. So stating, the petitioner has made a representation dated 29.08.2016 to the respondent. As the representation did not revoke any response, the petitioner has been driven to filing of this Writ Petition.

5. The learned Standing counsel appearing for the respondent would submit that in accordance with law and merits, the respondent is prepared to consider the representation of the petitioner within the time frame to be fixed by this Court.

6. Under such circumstances, the representation dated 29.08.2016, regarding the nature of transfer order made i.e., conversion of nomenclature from permanent transfer as that of "on other duty", should be considered by the respondent and appropriate orders to be passed within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

The Managing Director,
Tamil Nadu State Transport Corporation (Madurai),
Bye-pass Road,
Madurai - 625 010.

+ 1 CC TO Mr.S.VISWALINGAM, ADVOCATE IN SR No. 60977

MJ

TE/GSV-PM : 17/11/2016 : 2P/3C

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