



WEB COPY

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2016

CORAM

**THE HON'BLE Dr.JUSTICE S.VIMALA**

W.P(MD) No.20175 of 2016  
and WMP(MD).14466 & 14467 of 2016

V.Kathiresan

... Petitioner

-vs-

1. The Chairman  
The District Transfer Committee,  
Pudukottai District.
2. The Superintendent of Police,  
Office of the Superintendent of Police,  
Pudukottai District.
3. The Inspector of Police,  
Head Quarters,  
Armed Reserve,  
Pudukottai District.
4. The Inspector of Police,  
Manalmelgudi Police Station,  
Pudukottai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records connected with the D.O.No.661/2016 RC.No.A3/23216/2016 dated 11.10.2016 on the file of the respondent No.2 and quash the same as illegal in so far as serial number 43 that relates to the petitioner and consequently directing the respondent No.2 to continue duty as grade II constable in the armed reserve Pudhukottai.

|                 |                                                          |
|-----------------|----------------------------------------------------------|
| For Petitioner  | : Mr.S.Malaikani                                         |
| For Respondents | : Mr.V.R.Shanmuganathan<br>Additional Government Pleader |

### **O R D E R**

This Writ Petition has been filed to quash the order dated 11.10.2016 passed by the second respondent and consequently direct the second respondent to permit the petitioner to continue duty as Grade II Constable in the Armed Reserve, Pudukottai.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents. By consent the writ petition itself is taken up for final disposal at the admission stage.



3.The case of the petitioner is that he was serving in the Armed Reserve, Pudukottai as Grade II Constable from 15.08.2011. The second respondent transferred the petitioner to Manamelgudi Police Station by the impugned order dated 11.10.2016. Therefore, the petitioner has sent representations to the second respondent, requesting to cancel the transfer order. As the same was not considered, this Writ Petition has been filed.

4.According to the learned Additional Government Pleader appearing for the respondents, there was excess strength of 137 Police Constables in the Armed Reserve and that was sought to be deployed to other places and therefore, willingness was called for from the persons employed in Armed Reserve, Putukottai. Accordingly, 80 applications were received and they were transferred on their willingness and 57 persons were transferred on account of exigencies.

5.The learned Additional Government Pleader also submitted that the representations submitted by the petitioner dated 14.10.2016 and 17.10.2016 will be considered within a period of three weeks.

6.Accordingly, the second respondent is directed to consider the representations submitted by the petitioner and pass orders on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

7.The Writ petition is disposed of with the above direction. Consequently connected WMP(MD)No.14466 & 14467 of 2016 are closed.

Sd/  
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Chairman The District Transfer Committee,  
Pudukottai District.
  - 2.The Superintendent of Police,  
Office of the Superintendent of Police,Pudukottai District.
  - 3.The Inspector of Police,Head Quarters,  
Armed Reserve, Pudukottai District.
  - 4.The Inspector of Police, Manalmelgudi Police Station,  
Pudukottai District.
- +1cc to M/S.S.Malaikani, Advocate in SR.No.62429.  
+1cc to Special Government Pleader,in SR.No. 62922

WP (MD)No.20175 of 2016  
21.10.2016