

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 2.6.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.550 of 2017
and
C.M.P.No.7743 of 2017

R.Settu

Appellant

Versus

- 1 The Director General of Police
CRPF CGO Complex
Lodhi Road New Delhi 110 003
- 2 The Inspector General of
Police (Training)
Training Directorate
CRPF Sector I New Delhi 110 066
- 3 The Inspector General of Police
Southern Sector CRPF
Road No.10 C Jubilee Hills
Near MLA/MPs Colony Gayathri Hills
Hyderabad 500 033
- 4 The Deputy Inspector General of Police
Recruit Training Centre (RTC)
GC Campus CRPF Avadi Chennai 600 065

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 23.3.2017 passed in W.P.No.38930 of 2016 on the file of this court.

WP.No.38930/16:Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus to call for the records pertaining to the Inter Office Note dt 27.10.2016 of the 4th respondent in proceeding No. J.II.1/2016-Estt.2 and his subsequent movement order dt 31.10.2016 relieving the petitioner on transfer from Recruit Training Centre to 216 Bn CRPF Nuapada (Odisha) and quash the same and forbear the respondents from transferring the petitioner from Recruit Training Centre (RTC) CRPF Avadi to 216 Battalion CRPF Nuapada (Odisha) and retain him to RTC Avadi

For appellant : Mr.P.Mohanraj
For respondents : Mr.P.S.Sivashanmugasundaram,
Special Govt. Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and the learned Special Government Pleader for some time.

2. The writ appeal challenges the order passed by the learned Single Judge in the writ petition filed challenging the order of his transfer. It appears that while declining to grant the relief sought for by the appellant, the learned Single Judge has taken a lenient view and granted two months time to the appellant to go and report at the place where he is transferred.

3. The appellant is now pleading that his wife suffers from a permanent disability of 60% and she is unable to move and as such, he intends to take voluntary retirement. Therefore, it is for the appellant to file his voluntary retirement application before the respondent authority, who shall decide the matter permitting him to retire so that other person would get the post. It would be also convenient for the Department as well as the petitioner to get rid of this entangled issue between themselves on the issue of transfer. Further, if it is provided that three months notice is necessary to be issued, it shall be done by the petitioner within a period of one month and till three months is over, he may be retained on duty at the place where he is working now, his services can be utilised and he may be permitted to take voluntary retirement, if there is no impediment for availing the same.

4. The writ appeal is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssk.

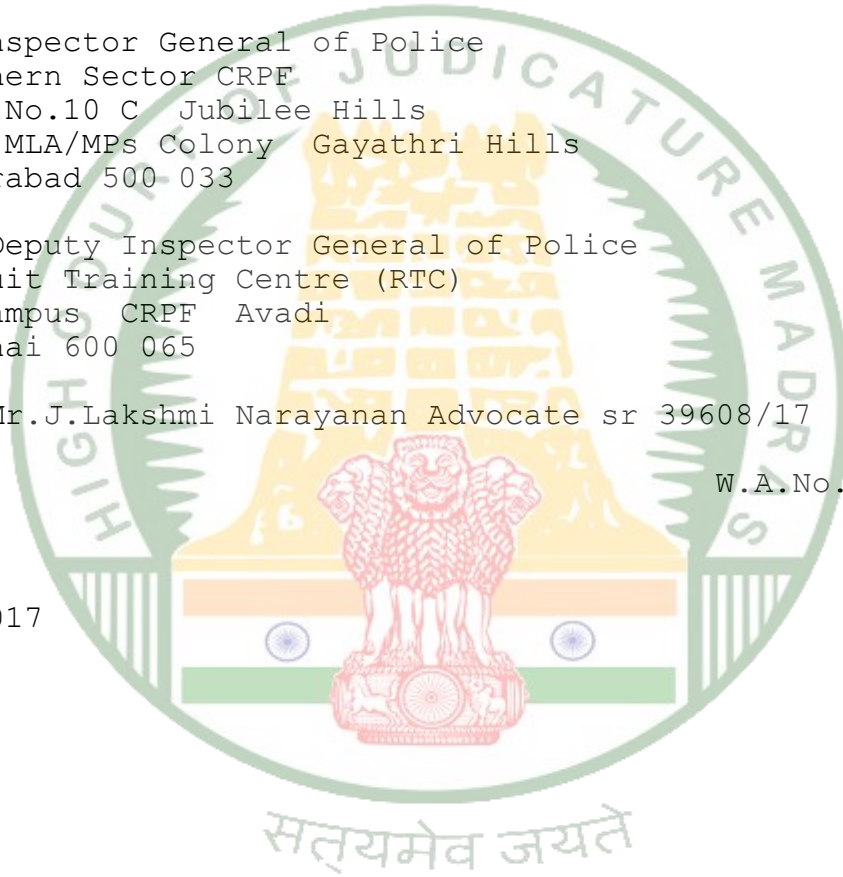
To:

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+1 cc to Mr.J.Lakshmi Narayanan Advocate sr 39608/17

W.A.No.550 of 2017

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