

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 7.8.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.A.No.591 of 2017 and
C.M.P.No.8240 of 2017

M.Moorthy

Appellant

Versus

1. The District Collector,
Salem District, Salem.
2. The Personal Assistant
(Development) to the Collector,
Salem District, Salem,
3. The Block Development Officer
(Village Panchayat),
Mecheri Panchayat Union, Salem District.

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 10.5.2017 passed in W.P.No.12346 of 2017 on the file of this court. Praying call for record relating to the Order of Ist respondent dated 21.04.2017 in Na.Ka.No.246/2017/Thi3 and quash the same.

For appellant : Mr.K.Selvaraj
For RR1 and 2 : Mr.R.Prathapkumar, AGP
For R3 : 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 Additional Government Pleader and the learned Special Government Pleader, who take notice on behalf of the respondents.

2. It appears that the appellant, working as Panchayat Secretary had challenged the order issued by the first respondent transferring him from Panchayat Union, Vellar to Panchayat Union, Panamarathupatti. Since the writ petition was dismissed by the learned Single Judge, the present writ appeal is filed.

3. On perusal of the material records produced before us and especially a copy of the letter addressed by a political party seeking the authority to transfer the appellant to some other place, we do not find any justification in the order transferring the appellant and we are of the view that it is too premature to transfer even before a stipulated period of service. Therefore, we dispose of the writ appeal setting aside the order passed by the learned Single Judge as well as the order impugned transferring the appellant. We direct the authorities to retain the appellant/writ petitioner till his completion of three years in the same locality or till any exigency arises. No costs. The connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

ssk.

To:

1. The District Collector,
Salem District, Salem.
2. The Personal Assistant
(Development) to the Collector,
Salem District, Salem,
3. The Block Development Officer
(Village Panchayat),
Mecheri Panchayat Union,
Salem District.

+2cc to Mr.K.Selvaraj, Advocate esr. 56989
+1cc to the Government Pleader Sr. 56858

W.A.No.591 of 2017

AR(IV)
VR(05/09/2017)