

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.12.2017

CORAM

THE HONOURABLE MR. JUSTICE T. RAJA

W.P.No.31642 of 2017 and
WMP.Nos.34759 and 34760/2017

J.Vasanth Prabhu

.. Petitioner

Vs.

1. The Managing Director/Joint Registrar,
Kancheepuram District Consumer Co-operative
Wholesale Stores Limited,
Madras-108.
2. The Joint Registrar/General Manager,
Kancheepuram District Consumer Co-operative
Wholesale Stores Limited, Kancheepuram.
3. The Taluk Supply Officer/Special Tahsildar,
Kancheepuram. .. Respondents

Writ Petition filed under Article 226 constitution of India for issuance of a Writ of Certiorari, to call for the records in proceedings in Na.Ka.No.0859/2015/E-7 dated 12.10.2017 on the file of the 1st respondent and quash the same as illegal, incompetent.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader

ORDER

Challenging the proceedings of the 1st respondent in Na.Ka.No.0859/2015/E-7 dated 12.10.2017, the present Writ Petition has been filed.

2. The case of the petitioner is that he is working as a Salesman in Tamil Nadu Housing Board Fair Price Shop at Kancheepuram. On 02.05.2017, he has been transferred to Thirukazhikundram, but the said order has not been given effect. While so, another order of transfer dated 12.10.2017 was issued, transferring him to Nandanam, Chennai, which is impugned in this Writ Petition.

3. Learned Counsel for the petitioner submitted that while the petitioner was working as a Salesman with a monthly salary of Rs.8,000/-, transferring him from Kancheepuram to Nandanam, Chennai, which is 75 kms. away from the present place will create great difficulty to him. Further, the petitioner has to

open the shop daily at 8.00 a.m. Therefore, the order of transfer impugned in this Writ Petition is liable to be set aside.

4. Learned Special Government Pleader appearing for the respondents submitted that the petitioner has been transferred to Nandanam, Chennai from Kancheepuram on administrative ground which is 40 kms. away from Kancheepuram. Therefore, the present Writ Petition has to be dismissed.

5. Considering the facts and circumstances of the case and the fact that the order of transfer is based on administrative ground, this Court is not inclined to interfere with the same. Anyhow, since it is represented by the learned Counsel for the petitioner that the transferred place i.e. Nandanam, Chennai, is 75 kms. away from the residence of the petitioner in Kancheepuram and he is drawing a sum of Rs.8,000/- as salary, if any representation is made by the petitioner, the same shall be considered by the respondents to post him in a nearby place.

6. With the above observation, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director/Joint Registrar,
Kancheepuram District Consumer Co-operative
Wholesale Stores Limited,
Madras-108.

2. The Joint Registrar/General Manager,
Kancheepuram District Consumer Co-operative
Wholesale Stores Limited, Kancheepuram.

3. The Taluk Supply Officer/Special Tahsildar,
Kancheepuram.

+1cc to M/s.V.Raghavachari, Advocate Sr.No.86698

+1cc to M/s.L.P.Shanmugasundaram, Advocate SR.No.86717

+1cc to M/s.T.N.Sugesh, Advocate Sr.No.86771

+1cc to Government Pleader SR.No.87420

W.P.No.31642 of 2017

KAN(CO)

sm:27.12.2017