

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2017

CORAM:

THE HONOURABLE JUSTICE MR.T.RAJA

W.P.No.14190 of 2017

C.Alagesan

... Petitioner

Vs.

1. The District Collector,
Krishnagiri, Krishnagiri District.

2. The Block Development Officer,
Uthangarai, Krishnagiri District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the first respondent to consider the petitioner's representation dated 03.05.2017 requesting for transfer to the Government Girls Higher Secondary School, Singarampettai.

For Petitioners : Mr.P.Rajendran

For Respondents : Mr.T.M.Pappiah

Special Government Pleader for R1

Mr.R.Venkatesh

Government Advocate for R2

O R D E R

The petitioner has again come to this Court seeking a writ of mandamus directing the first respondent to consider his second representation dated 03.05.2017 requesting for his transfer to the Government Girls' Higher Secondary School, Singarampettai since a vacancy has arisen in the said place.

2.This writ petition cannot be entertained for the following reasons. Firstly, when the petitioner has been working as a Noon Meal Organizer in the Government High School, Govindapuram, Uthangarai Taluk, Krishnagiri District, he requested for transfer to Bargur Panchayat Union in the year 2015 citing his family circumstances, which was not considered. Therefore, the petitioner came to this Court with W.P.No.24336 of 2015 to consider his representation dated 15.07.2015, wherein he sought for transfer to Government Boys' High School,

Pochampalli in Bargur Panchayat Union. This Court, disposing of the said writ petition by an order dated 07.08.2015, directed the respondents to consider his representation. Finally the first respondent passed an order on 05.10.2015 rejecting his request on the ground that his application was submitted on 15.07.2015 and in the mean while one Mr.Nehru's request was considered, as he had submitted his application on 03.07.2015. That order has not been challenged, although the learned counsel for the petitioner submitted that the order has been wrongly passed. But, subsequently, taking note of another vacancy which he has come to know from an application filed under the RTI Act has again given another representation. But this Court may not be in a position to accept his request. When a vacancy has arisen in Government Girls' Higher Secondary School, Singarampettai, Uthangarai Taluk, which is also 2 kilometres from his residence, the petitioner cannot move an application, as it is only for the employer to decide. Therefore, the writ petition fails and it is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

maya/ss

To

1. The District Collector,
Krishnagiri, Krishnagiri District.
2. The Block Development Officer,
Uthangarai, Krishnagiri District.

+1cc to the Government Pleader, Sr. 41272

+1cc to Mr.P.Rajendran, Advocate Sr. 40861

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MSM(CO)
VR(22/06/2017)