

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.15745 of 2017

and

W.M.P.Nos.17014 & 17015 of 2017

Mr.Salai Ram Sakthivel

... Petitioner

Vs.

1. The Director General of Police,
Mylapore, Chennai - 600 004.
2. The Inspector General of Police,
West Zone, Coimbatore-641 018.
3. The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore-641 018.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records of the impugned proceedings passed by the 2nd respondent also in his capacity as in-charge of the 3rd respondent office in C.A.No.A1/4583/2017-R.O.117/2017 dated 17.06.2017 transferring the petitioner from this present station of Upper Conoor Police Station in the Nilgiris to the remote Cherambadi Police Station in the Nilgiris District, within one year from his present station, and quash the same as illegal and consequently direct the respondents to Erode District as requested by the petitioner vide his concurrence letter dated 19.05.2017.

For Petitioner : Mr.M.Purushothaman

For Respondents : Mr.K.Rajendra Prasad
Government Advocate

O R D E R

The petitioner, has come to this Court questioning the correctness of the impugned order of transfer posting him to Cherambadi, The Nilgiris in the existing vacancy from Upper

Coonoor, The Nilgiris, on the ground that when the petitioner has given his letter dated 19.05.2017 specifically mentioning that he may be transferred to any of the Police Stations in Erode district, instead of posting him in any of the Police Stations in Erode district, the respondents have transferred him within the Nilgiris district, therefore, the impugned order is liable to be interfered with, is far from acceptance.

2. The petitioner, while serving as Inspector of Police in Upper Conoor Police Station, The Nilgiris, has been shifted to Cherambadi, The Nilgiris in the existing vacancy along with 33 other Inspectors of Police. Therefore, when the transfer and posting order of Inspectors of Police indicated that not only the petitioner, even 33 other Inspectors of Police along with the petitioner are also transferred, the petitioner cannot allege any malafide or after thought. Hence, the contention made by the learned counsel for the petitioner that the petitioner has been disturbed within a year also does not carry any weight. The reason is that he has been posted within the same Nilgiris district. Therefore the question of transferring the petitioner within one year is wholly unacceptable. Accordingly, the writ petition fails and it is dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

maya/ss

To

1. The Director General of Police,
Mylapore, Chennai - 600 004.
2. The Inspector General of Police,
West Zone, Coimbatore-641 018.
3. The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore-641 018.

+lcc to Mr.M.Purushothaman, Advocate, S.R.No.44125

+lcc to the Government Pleader, S.R.No.44200

+lcc to Mr.M.Purushothaman, Advocate, S.R.No.44125(17.07.2017)

W.P.No.15745 of 2017

LRS (CO)

CA(07/07/2017)