

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.32248 of 2015
and
W.M.P.No.1 to 3 of 2015

D.Radhakrishnan

... Petitioner

Vs.

1.The Director of Agricultural
Marketing and Agri Business,
Chitper Road,Industrial Estate,
Guindy, Chennai-600 032.

2.J.Sundaresan,
Agricultural Officer (Agri Business)
Office of Deputy Director of Agricultural
Marketing and Agri Business,
Pudukottai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorari,
to call for the records of the first Respondent dated
01.10.2015 having Ref.No.Se.Mu.Aa.No.Tho.Nu.Pa.3/28078/2015
and quash the same.

For Petitioner : Mr.S.Silambanan Sr. Counsel
for M/s.C.Uma

For Respondents: Mr.R.S.Selvam
Government Advocate (for R1)
: Mr.Adithya Reddy (for R2)

O R D E R

The relief sought for in this writ petition is to quash
the order of transfer issued by the first respondent in
proceedings dated 01.10.2015.

2.The writ petitioner was appointed as Agricultural
Officer (Extension) in the Department of Agricultural
Marketing and Agri Business, Ministry of Agriculture,
Government of Tamil Nadu and transferred to Trichy in the year
1985. However the impugned order dated 01.10.2015 was issued
by the respondents transferring the writ petitioner from
Trichy to Pudukottai in the vacant place. The order of
Transfer is incidental to service, more so, the condition of
service. Court cannot interfere in the order of
administrative transfer in a routine manner.

3.However, the learned counsel appearing for the writ petitioner made a submission that the writ petitioner is due to retire from service on 20.04.2018 and having only another eight months of service. Further, the writ petitioner is in the process of submitting his application for pensionary benefits and therefore, any further disturbance will cause prejudice to the writ petitioner in respect of settlement of pensionary benefits.

4.Thus, this Court is of the view that the writ petitioner shall be allowed to continue in the same post till his date of superannuation.

5.With this observation, the writ petition stands closed. However, there is no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

ah/dna

To

The Director of Agricultural Marketing
and Agri Business,
Chitper Road, Industrial Estate,
Guindy, Chennai-600 032.

+ 1 cc to M/s. C. Uma, Advocate SR.65961

+ 1 cc to Government Pleader Sr.65978

सत्यमेव जयते

W.P.No.32248 of 2015

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