

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

W.P. No. 2889 of 2017  
&  
W.M.P. No. 2804 of 2017

Mrs.K. Mallika ... Petitioner

Vs.

1. The District Collector,  
Villupuram District,  
Villupuram.
2. The Block Development Officer,  
Gingee Block Development Office,  
Gingee Town, Gingee. .... Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 3<sup>rd</sup> respondent to consider the representation of the petitioner dated 14.06.2016 on humanitarian ground to give transfer to her native village P.U.M. School, Palappattu from Mattapparai Village P.U. Elementary School.

For Petitioner :: Mr.S. Mazhaimeni Pandiyan

For Respondents:: Mr.P. Chinnadurai,  
Govt. Advocate for R1  
Mr.S. Pattabiraman  
Govt. Advocate for R2

O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. Mr.P. Chinnadurai, learned Government Advocate accepts notice on behalf of the 1<sup>st</sup> respondent and Mr.S. Pattabiraman, learned Government Advocate accepts notice on behalf of the 2<sup>nd</sup> respondent.

3. The petitioner was appointed as a Noon Meal Organizer in Panchayat Union Elementary School, Mattapparai Village, Gingee Taluk, on 07.07.1993 and she claims that she has been rendering sincere, hard and blemishless service to the utmost satisfaction of her superior officials for the past 25 years. The petitioner would further state that she is aged about 50 years and she is suffering from stomach pain and knee pain and as a consequence, she is finding it extremely difficult to go to Mattapparai Village, to attend to her duties and return home. In this regard, she has submitted a representation to the 2<sup>nd</sup> respondent dated 14.06.2016 praying for transfer to Pallappattu Panchayat Union Middle School. Since the said representation is yet to be considered, the petitioner came forward to file this writ petition.

4. Learned counsel for the petitioner would submit that on account of the above said illness, the petitioner is finding it extremely difficult to attend to her duties, which she has been doing for the past 25 years and therefore, prays for merciful consideration of the petitioner's representation at the hands of the respondents.

5. Per contra, learned Government counsel appearing for respondents 1 and 2 would submit that the petitioner has not produce the acknowledgement for having submitted the said representation dated 14.06.2016 and that apart, the medical certificates have not been enclosed.

6. This Court has considered the rival submissions and also perused the typed set of documents.

7. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in the representation or in the writ petition, directs the petitioner to submit one more representation along with the medical records and a copy of her earlier representation as well as a copy of this order to the 2<sup>nd</sup>

respondent, within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of the same, the 2<sup>nd</sup> respondent is directed to consider the representation of the petitioner, on merits and in accordance with law and pass orders, within a period of three weeks thereafter and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs. Connected W.M.P. is closed.

Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nv  
To

1. The District Collector,  
Villupuram District,  
Villupuram.
2. The Block Development Officer,  
Gingee Block Development Office,  
Gingee Town, Gingee.

+lcc to Mr.S.Pattabiraman, Advocate Sr.8777  
+lcc to Mr.S.Mazhaimeni Pandiyan, Advocate Sr.7506  
+lcc to the Government Pleader Sr.8048

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W.P. No. 2889 of 2017

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