

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19698 of 2004
And
W.P.M.P.No.23681 of 2004

R.Jayakumar

... Petitioner

Vs.

1.The Chief Engineer,
Agricultural Engineering Department,
Anna Salai,
Chennai - 35.

2.The Executive Engineer,
Agricultural Engineering Department,
Thiruvavur.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned order of transfer passed by the first respondent in Ma.Va.Nee.2(1)/30713/2004 dated 2.06.2004 and the order of the second respondent passed in No.A.2486/2004, dated 01.07.2004 and quash the same with all monetary and attendant benefits.

For Petitioner : Mr.A.E.Chandra
for M/s.P.V.Rajeswari

For Respondents: Ms.K.Bhuvaneswari
Government Advocate

O R D E R

This writ petition has been filed seeking issuance of Writ of Certiorari calling for the records pertaining to the impugned order of transfer passed by the first respondent in Ma.Va.Nee.2(1)/30713/2004 dated 02.06.2004 and the order of the second respondent passed in No.A.2486/2004, dated 01.07.2004 and to quash the same with all monetary and attendant benefits.

2.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

3.The petitioner while he was working as Assistant Engineer in Jayankondam was transferred by the respondent vide order dated 14.07.2002 to Gobichettipalayam and he joined in the said station on 29.11.2002. Thereafter, even before the completion of three years, he was transferred to Thiruvavarur District vide order of the first respondent dated 02.06.2004. Hence, challenging the order of the first respondent dated 02.06.2004 and the consequential order of the second respondent dated 01.07.2004, the petitioner has filed this writ petition.

4.The learned Government Advocate appearing for the respondents filed counter affidavit stating that the impugned transfer order dated 02.06.2004 was cancelled and subsequently, as per the request made by the petitioner dated 28.03.2006, the petitioner was transferred to Mettur.

5.It is useful to extract the relevant paragraph of the counter which reads as follows:

"6.It is submitted that the petitioner in his representation dated 28-3-2006 has requested for transfer to Mettur and his request was considered and he has been posted at the Office of the Assistant Executive Engineer (Agrl.Engg.) (River valley Project) Mettur. The petitioner has also joined the new office at Mettur on 12-4-2006. Therefore the earlier proceedings of Chief Engineer (Agricultural Engineering) dated 2.6.2004 was cancelled vide proceedings No.Me.pa.1/30713/04 dated 6.9.2006 of Chief Engineer (Agricultural Engineering) Chennai - 600 035."

6.In view of the above, nothing survives in this writ petition for adjudication. Hence, the writ petition is closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

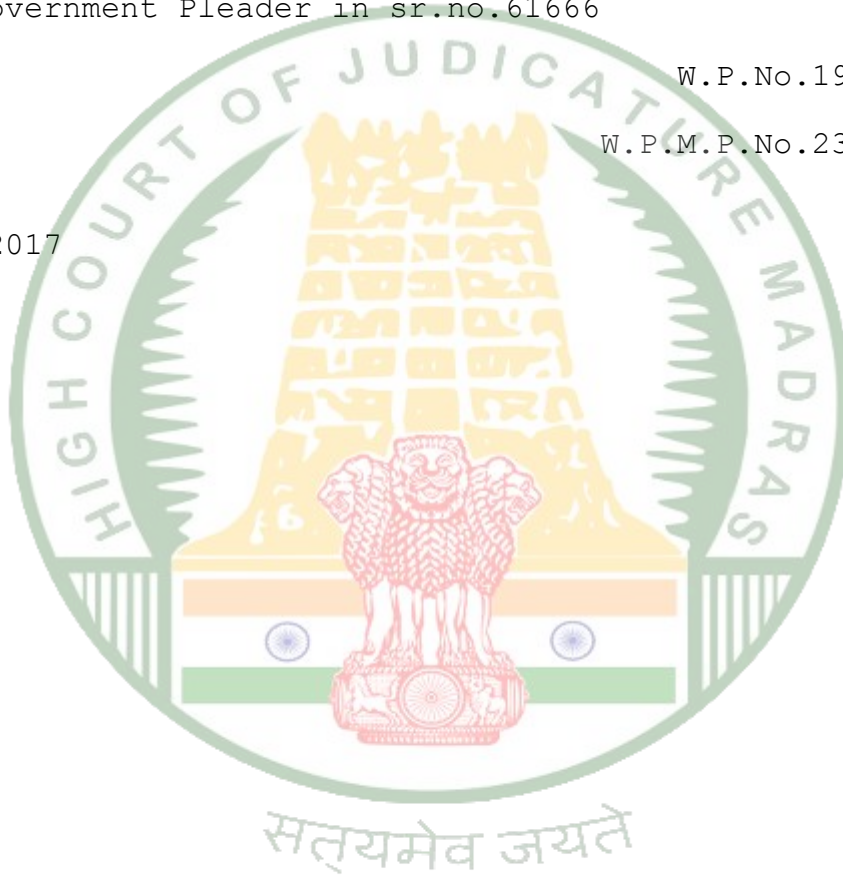
To

1. The Chief Engineer,
Agricultural Engineering Department,
Anna Salai,
Chennai - 35.
2. The Executive Engineer,
Agricultural Engineering Department,
Thiruvavarur.

+1cc to Government Pleader in sr.no.61666

W.P.No.19698 of 2004
And
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MSM(CO)
NR 15/09/2017



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