



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.07.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.14087 of 2017

and

W.M.P (MD) No.11017 of 2017

P.Nadanasigamani

... Petitioner

Vs.

1.The Director of Adhidiravidar Welfare,
Directorate of Adhidiravidar Welfare,
Chepauk, Chennai - 600 005.

2.The District Adhidiravidar and Schedule Tribe Welfare Officer,
Tirunelveli District,
Tirunelveli.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 29.06.2017, along with the proposal submitted by the 2nd respondent in Na.Ka.No.A3/19535/2017 dated 10.07.2017 and to pass orders within a stipulated time and post the Petitioner as Warden in Government Adhidiravidar Welfare Boys Hostel, Puliyangudi, Tirunelveli District.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.K.Guru,

Additional Government Pleader

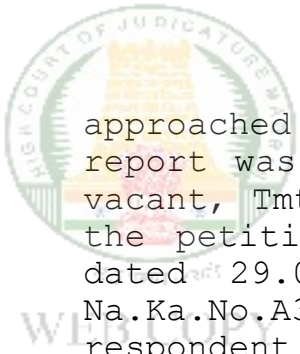
ORDER

The petitioner seeks for a Writ of Mandamus to direct the first respondent to consider his representation dated 29.06.2017, along with the proposal submitted by the second respondent in Na.Ka.No.A3/19535/2017 dated 10.07.2017.

2. Mr.K.Guru, learned Additional Government Pleader takes notice for the respondents.

3. By consent of both the parties, this writ petition is taken up for disposal, at the admission stage itself.

4. The case of the petitioner is that pursuant to the transfer proceedings of the first respondent in Na.Ka.No.Ra3/11435/2017-17 dated 11.05.2017, the petitioner herein joined duty in Valasai Government Adhidiravidar Primary and High School, Valasai, Tenkasi Taluk, as Secondary Grade Teacher on 01.06.2017. But, the first respondent thereafter, by transfer proceedings in Na.Ka.No.01/10577/2017 dated 04.07.2017, posted one Tmt.Prema, in the same place, which was allotted to the petitioner. When he



approached the first respondent, he was informed that his joining report was not forwarded to them and by treating the said post as vacant, Tmt.Prema was allotted to the post. Aggrieved by the same, the petitioner approached the second respondent by representation dated 29.06.2017 and the second respondent by proceedings in Na.Ka.No.A3/19535/2017 dated 10.07.2017, recommended the first respondent to transfer the petitioner to the vacant post of Warden in Government Adhidiravidar Boys Hostel, Puliyangudi, Tirunelveli District. As the said proceedings is pending before the first respondent without any action, the present writ petition came to be filed.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 29.06.2017, in line with the proceedings of the second respondent in Na.Ka.No.A3/19535/2017 dated 10.07.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The Director of Adhidiravidar Welfare,
Directorate of Adhidiravidar Welfare,
Chepauk, Chennai - 600 005.
- 2.The District Adhidiravidar and Schedule Tribe Welfare Officer,
Tirunelveli District,
Tirunelveli.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.69187

+1cc to Mr.M.SARAVANANKUMAR Advocate in SR. No.68517

GK

JS/KP/SAR.2/1.8.2017/2P-5C

W.P. (MD) No.14087 of 2017

and

W.M.P (MD) No.11017 of 2017

28.07.2017