



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.13405 of 2017

and

W.M.P.(MD)No.10472 of 2017

C.Pandi

... Petitioner

vs.

1. The District Collector,
Madurai District, Madurai.

2. The Revenue Divisional Officer,
Usilampatti, Madurai District.

3. The Tahsildar,
Thirumangalam Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, calling for the records of the impugned proceedings of the third respondent in Na.Ka.No.7822/2016/A2 dated 13.07.2017 and quash the same.

For Petitioner

: Mr.P.S.Santhoshkumar

For Respondents

: Mr.Raja Karthikeyan,

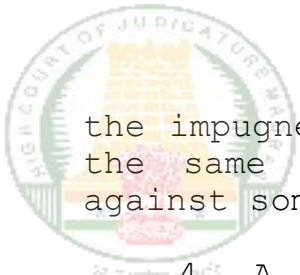
Additional Government Pleader

ORDER

By consent of both sides, this writ petition itself is taken up for final disposal.

2. Heard the learned counsel for the petitioner and Mr.R.Karthikeyan, Additional Government Pleader, who takes notice for the respondents.

3. The petitioner has come to this Court challenging the impugned order in Na.Ka.No.7822/2016/A2 dated 13.07.2017 transferring the petitioner from Aa.Kokkulam to Idayanatham, which is hardly 20 kms. Due to some complaint, the 3rd respondent by his proceedings dated 13.07.2017 transferred the petitioner from A.Kokkulam to Idayanatham. In view of such transfer, the petitioner has to go to Idayanatham to get acquittance with all the people and as a result, not only the execution of work would take a long time but also it will cause more problem to the department. Moreover,



the impugned order of transfer is not on administration reasons and the same is purely on misrepresentation of the complaint made against some third parties.

4. A perusal of the impugned order does not show that the transfer has been effected based on any complaint. It is well settled legal position that transfer is not a condition of service but also incident of service and the petitioner has been transferred to a short distance of 20 kms away. Therefore, this Court is not inclined to entertain this writ petition. Hence, this writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Usilampatti,
Madurai District.
3. The Tahsildar,
Thirumangalam Taluk,
Madurai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 67129
+ 1 CC TO Mr.P.SANTHOSH KUMAR, ADVOCATE IN SR No. 67060

MRN/RR

TE/MR-KKR/SAR-IV : 02/08/2017 : 2P/6C

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