



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2017

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THE HON'BLE Mr. JUSTICE R. SURESH KUMARW.P. (MD) No.3245 of 2017

WEB COPY

V.M.Krishnan

... Petitioner

-vs-

1. Secretary to Government,
Health Department,
Fort St. George,
Chennai -9.

2. The Commissioner,
Food Safety and Drug Administration,
5th Floor, D.M.S. Building,
259, Anna Salai,
Teynampet, Chennai - 6.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS directing the respondents to transfer the petitioner in the vacancy of the post of Food Safety Officer at Melapalayam Zone, Tirunelveli District vide his representation dated 25.01.2017 within a time frame fixed by this Honourable Court.

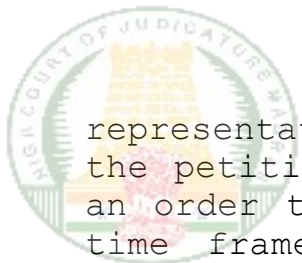
For Petitioner	: Mr.D.Saravanan
For Respondents	: Mr.S.Satheesh Kumar
	Additional Government Pleader

O R D E R

The prayer in the writ petition for a Writ of Mandamus directing the respondents to transfer the petitioner in the vacancy of the post of Food Safety Officer at Melapalayam Zone, Tirunelveli District vide his representation dated 25.01.2017 within a time frame fixed by this Court.

2.Mr.S.Satheeshkumar, Additional Government Pleader, accepts notice for the respondents. By consent of both sides, the writ petition itself is taken up for final disposal at the time of admission.

3.Though the petitioner has come out with the aforesaid prayer, today, the learned counsel for the petitioner would submit that in view of the physical condition of the petitioner, he has given representation on 25.01.2017 seeking for transfer to a place
<https://hcservices.courts.gov.in/hcservices/> Melapalayam, Tirunelveli District, where the present incumbent is going to retire on 28.02.2017, therefore, if the said



representation requiring transfer to the said place as given by the petitioner dated 25.01.2017, is directed to be considered and an order to that effect is passed by the 2nd respondent, within a time frame stipulated by this Court, the petitioner would be satisfied.

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4. Heard the learned Additional Government Pleader for the respondents. He would submit that the 2nd respondent is the competent authority to decide whether the petitioner would be eligible to get transfer as per his request.

5. Considering the said submissions made by both sides, this writ petition is disposed of with a direction directing the 2nd respondent to consider the representation of the petitioner dated 25.01.2017, on merits and in accordance with law, of course, by considering the claim made by the petitioner that he wants transfer on health grounds and pass orders thereon within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Health Department,
Fort St. George,
Chennai - 7.

2. The Commissioner,
Food Safety and Drug Administration,
5th Floor, D.M.S. Building,
259, Anna Salai,
Teynampet, Chennai - 6.

+1cc to Special Government Pleader, Sr No.10920
+1cc to Mr.D.Saravanan,Advocate, Sr No.10602

W.P. (MD) No.3245 of 2017
24.02.2017

RR

MS/SV.MMS/SAR2/7.3.2017/2P.5C