

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2018

CORAM :

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.Nos.20235 to 20237 of 2018
and

W.M.P.Nos.23728 to 23733 of 2018

Pandian ...Petitioner in W.P.No.20235 of 2018

Vasudevan ...Petitioner in W.P.No.20236 of 2018

M.Mani ...Petitioner in W.P.No.20237 of 2018

Vs

1.The Principal Secretary to the Government
of Tamil Nadu, Municipal Administration and Water Supply
Department, Fort St.George, Chennai - 600 009.

2.The Regional Director, Municipal Administration,
Salem, Salem District.

3.The Commisioner, Thiruchengode Municipality,
Thiruchengode.

...Respondents

For Petitioner : Mr.V.Govardhanan

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader,
for R1 & R2.

Mr.V.Kadhirvelu, Special
Government Pleader for R3.

Prayer: Writ Petition filed under Article 226 of the
Constitution of India seeking a writ of Certiorarified mandamus
calling for records pertaining to the order passed by the 3rd
respondent vide: Na.Ka.En:3560/2018/H1 dated 28.07.2018 and to
quash the same as malafide, illegal and contrary to the rule 20
of the Tamil Nadu Municipal Last Grade Service Rules 1975 and
consequently direct the respondents to retain the petitioner as
sanitary worker in the 3rd respondent Municipality.

O R D E R

The above writ petitions are filed, challenging the impugned transfer order from Thiruchengode to Hosur, dated 28.07.2018 passed by the 3rd respondent, on the ground of malafide and victimization.

2. The petitioners are sanitary workers working in the third respondent municipality. They were transferred from Thiruchengode to Hosur Municipality by an order dated 28.07.2018. The petitioners have already submitted a representation to the third respondent dated 31.07.2018 for revocation of transfer orders. As their representation has not been considered, these writ petitions are filed.

3. Learned Counsel for the petitioners would submit that the petitioners had been demanding safety equipments while performing duties in drainages and hence the third respondent issued the transfer orders, victimizing the petitioners. Learned counsel further submits that the transfer orders are issued to far off places and it is difficult to live with meagre salary.

4. Learned Counsel for the respondents, on instructions, would submit that the petitioners have submitted a representation to the second respondent and it would be considered appropriately and the transfer request would be considered and petitioners would be placed within a radius of 50 kms in and around the Tiruchengode municipality.

5. Recording the above statement, the writ petitions are disposed of, directing the second respondent to consider the representation submitted by the petitioners on 31.07.2018, and pass appropriate orders, transferring the petitioners within a radius of 50 Kms from Tiruchengode Municipality, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed. Post the matter for reporting compliance to this Court after three weeks.

ay/kst

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Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to the Government
of Tamil Nadu,
Municipal Administration and Water Supply
Department, Fort St.George,
Chennai - 600 009.

2.The Regional Director,
Municipal Administration,
Salem District, Salem.

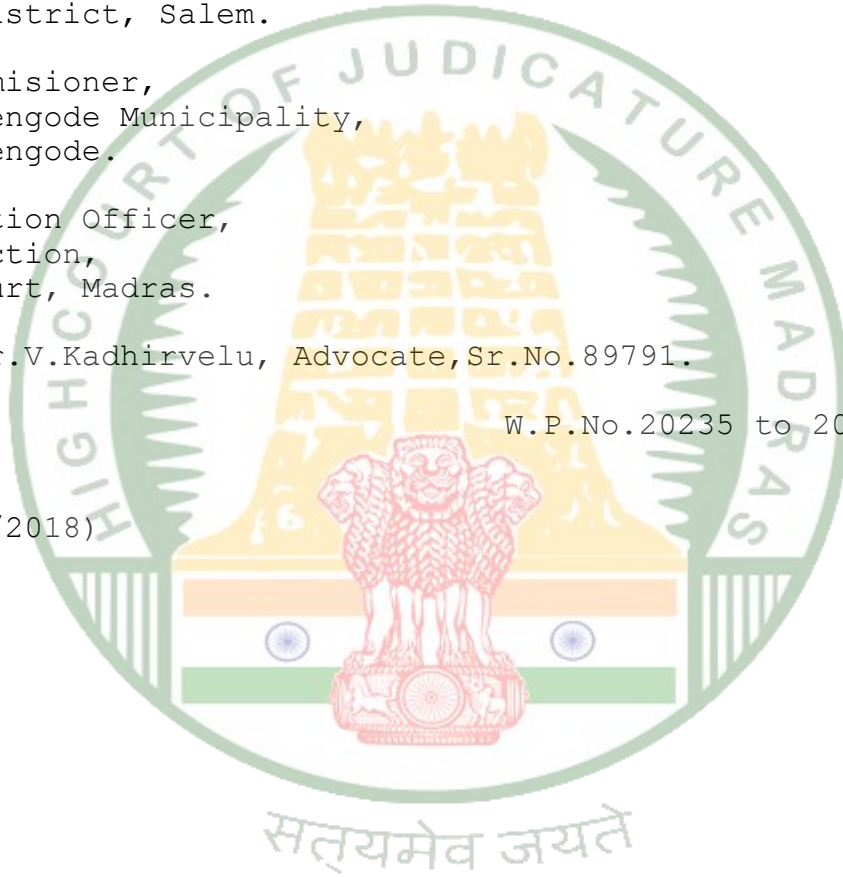
3.The Commisioner,
Thiruchengode Municipality,
Thiruchengode.

4.The Section Officer,
Writ Section,
High Court, Madras.

+1cc TO Mr.V.Kadhirvelu, Advocate,Sr.No.89791.

W.P.No.20235 to 20237 of 2018

RV (CO)
KAK (26/12/2018)



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