

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.06.2018

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10541 of 2008

M.Elango

... Petitioner

Versus

1. The Vice Chancellor,
Bharathiar University,
Coimbatore - 641 046.
2. The Registrar,
Bharathiar University,
Coimbatore - 641 046.
3. The Principal,
Bharathiar University Arts and Science College,
Valparai,
Coimbatore District.
4. The Public Relations Officer,
Bharathiar University,
Coimbatore - 641 046. Respondents

Prayer:

Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of Ceriorarified Mandamus, calling for the records in transfer order in Proc.No.E2/T.F/2008 dated 25.02.2008 passed by the second respondent and consequential order of relieving the petitioner from duty in BU/PRO/Estt-Ref./2008 dated 29.02.2008 passed by the fourth respondent and set aside the same as illegal, imporoper, unreasonable, arbitrary and against the principles of Natural Justice and thereby direct the respondents to post the petitioner in the office of Public Relations Officer in the respondent University.

For Petitioner : Mr.Gopalakrishnan,
for Mr.P.Murugan.

For Respondents : Mr.L.N.Pragasham,
No Appearance.

O R D E R

The petitioner is challenging the order of transfer dated 25.02.2008 passed by the second respondent and the subsequent order of relieving him from duty dated 29.02.2008 passed by the fourth respondent.

2. According to the petitioner, he has completed 22 years of service in the Respondent University. While he was working as Assistant Section Officer, by the impugned proceedings dated 25.02.2008, the petitioner was transferred to the office of the fourth respondent. The grievance of the petitioner is that the impugned order has been passed citing administrative reasons. On the other hand, there was no such administrative exigency to transfer him to the office of the fourth respondent. It has also been contended that the impugned order was passed during the middle of the academic year and it has caused prejudice to him. Therefore, the petitioner has come forward with this writ petition.

4. When the writ petition came up for admission, this Court has granted an order of interim stay on 25.04.2008. Subsequently, the interim stay was vacated by this Court on 23.09.2008 by passing the following order:

" In view of the fact that the said university college is not merely an affiliated college or private college, but a constituent college of the Bharathiar university which forms part of the University itself, the contention of the learned counsel for the petitioner that the transfer is not permissible as per the statute is not sustainable. In view of the same, the interim stay granted on 25.04.2008 stands vacated and M.P.No.2 of 2008 stands dismissed and M.P.No.3 of 2008 stands allowed."

5. In the light of the fact that this Court has vacated the interim stay granted in this Writ petition even as early as on 23.09.2008 and the said order has reached a finality, at this stage, the relief sought for in this writ petition need not be considered. Hence, the Writ petition stands dismissed as infructuous. No Costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

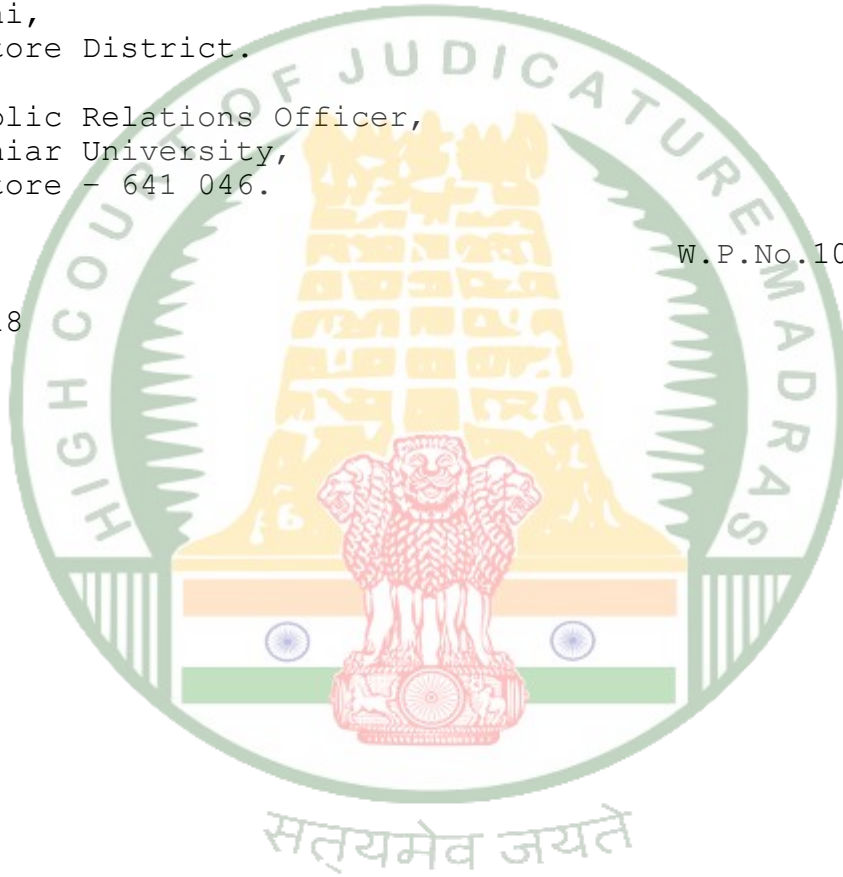
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To

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Coimbatore - 641 046.
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Bharathiar University,
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4. The Public Relations Officer,
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CS/26/07/18



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