

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2018

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.22539 of 2018

and

W.M.P.No.26396 of 2018

C.Mathivanan

... Petitioner

Vs.

1. The Commissioner of Municipal

Administration,

Ezhilagam Annexe,

Chepauk, Chennai - 600 005.

2. M.Jothikumar,

Commissioner,

(at present transferred to

Avadi Municipality),

Avadi, Chennai - 54.

... Respondents

(R2 is impleaded as per the order dated 03.09.2018 made in W.M.P.No.26707 of 2018 in W.P.No.22539 of 2018)

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certioraified mandamus, to call for the files relating to the impugned order of transfer issued by the respondent in Roc.No.370/2018/C1 dated 29.08.2018, quash the same and consequently, forbear the respondent from in any manner transferring the petitioner from Avadi Municipality till the expiry of three year from 09.08.2017.

For Petitioner : Mr.AR.L.Sundaresan,
Senior Counsel
for Mrs.A.L.Ganthimathi

For Respondents : Mr.K.Rajendra Prasad,
Additional Government Pleader for R1
Mr.S.Ilamvazhudhi for R2

ORDER

The transfer order of the petitioner transferring him from Avadi to Cuddalore, by an order dated 29.08.2018 is under challenge in this writ petition.

2. It is represented by the learned counsel for the petitioner that somebody else has been posted at Avadi subsequent to the order of transfer of the petitioner and the

said person has also joined at Avadi.

3. This Court had earlier directed the respondents to find out whether any place in and around Avadi is vacant.

4. Subsequent to the said order, it is reported by the learned Additional Government Pleader that Pallavaram is vacant.

5. In the above circumstances, the respondent is directed to accommodate the petitioner at Pallavaram and to pass consequential orders thereon and on receipt of the said order, the petitioner shall report for duty at Pallavaram within a period of one week from the date of receipt of a copy of that order.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Municipal
Administration,
Ezhilagam Annexe,
Chepauk, Chennai - 600 005.

2. M.Jothikumar,
Commissioner,
(at present transferred to
Avadi Municipality),
Avadi, Chennai - 54.

+lcc to Mrs.AL.Ganthimathi, Advocate, S.R.No.83375

+lcc to the Government Pleader, S.R.No.83670

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W.P.No.22539 of 2018

SV(CO)

rrs 07/12/2018