

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2018

CORAM:

THE HON'BLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.15052 of 2018
in
WMP.No.17818 of 2018

M.Periyasamy

Petitioner

Vs.

The State of Tamil Nadu by

1. The Collector,
Salem Colletorate, Salem.
2. The Assistant Director of Town Panchayat
Salem Colletorate, II Floor,
Salem.
3. The Executive Officer,
Selection Grade,
Town Panchayat, Omalur,
Salem District.

Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue WRIT OF CERTIORARI to call for records of the first respondent culminating in the impugned order Order No.Na.Ka.'2979/2018/P2' dated 05.06.2018 and to quash the same.

For petitioner : Mr.N.Karthikeyan

For Respondents: Mrs.V.Kathirvelu

Special Government Pleader

Mrs. K.Bhuvaneswari (R3)

Additional Government Pleader

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O R D E R

This Writ Petition has been filed challenging the order of the first respondent dated 05.06.2018 in Na.Ka.No.2979/2018/P2 to be illegal and arbitrary with a prayer to quash the same.

2. Mr.V.Kadhirvelu, learned Special Government Pleader accepts notice on behalf of the respondents 1 and 2.

Mrs.K.Bhuvaneswari, learned Additional Government Pleader takes notice on behalf of the third respondent.

3. By consent of both sides, this Writ Petition is taken up for hearing and disposed of at the stage of admission itself.

4. It appears that the petitioner is working as Sanitary Supervisor in Omalur Panchayat. The grievance of the petitioner is that he has been subjected to transfer from Omalur to Tammampatti Panchayat which is more than 100 kms. away. In this regard the petitioner has made a representation to the authority concerned. But the authority refused to accept the same. Hence, the petitioner has come up with this writ petition seeking for the aforesaid relief.

5. During the course of hearing, the learned counsel for the petitioner would submit that it would suffice, if he is permitted to give fresh representation to the respondents and on receipt of the same the respondents may be directed to consider and pass orders on the same, within the stipulated period.

3.Considering the limited scope of prayer now sought for by the petitioner, this Court is of the view that no useful purpose would be served in seeking counter affidavit from the respondents.

4. In such view of the matter, this Writ Petition is disposed of giving liberty to the petitioner to make a representation to the first respondent, if so advised within a period of two weeks from the date of receipt of a copy of this order, and on receipt of the same, the authority concerned is directed to take an informed and considered decision, in accordance with law, by speaking order, within a period of three weeks thereafter and communicate the decision taken to the petitioner.

5. With the above directions, this Writ Petition is disposed of. However, it is made clear that this Court has not expressed any opinion on the merits of the representation in any manner to be filed by the petitioner. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

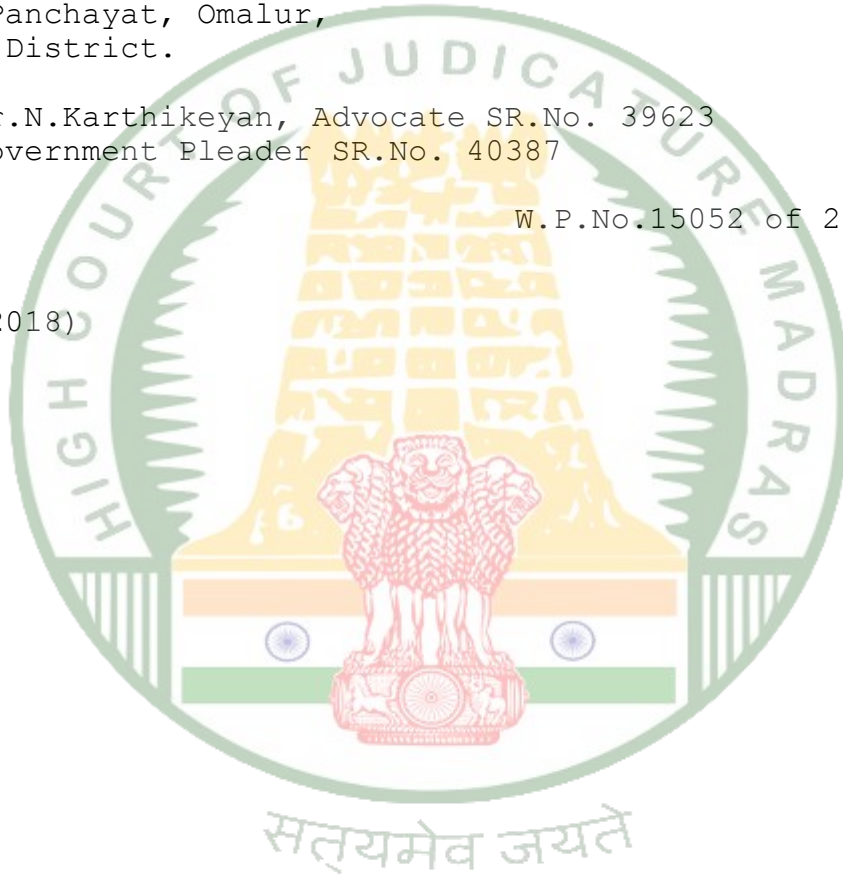
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Salem District.

+1cc to Mr.N.Karthikeyan, Advocate SR.No. 39623

+1cc to Government Pleader SR.No. 40387

W.P.No.15052 of 2018

GN(12/07/2018)



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