

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 04.07.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.16496 of 2018 and
W.M.P.No.19698 of 2018

A.Parameswaran

...Petitioner

Versus

1. The Director of Horticulture,
Horticulture Department,
Chepauk,
Chennai 600 005

2. The Deputy Director of Horticulture,
Dharmapuri,
Dharmapuri District

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorari calling for the records on the file of the first respondent in his proceedings Se.Mu.No.APaPe/ 6336/ 2018(4) dated 10.04.2018 and quash the same.

For Petitioner : Mr.J.Selvarajan

For Respondents : Mr.M.Elumalai,
Government Advocate

ORDER

The grievance of the petitioner in this case is that the petitioner is presently serving as an Assistant at the Office of the Deputy Director of Horticulture, Dharmapuri District. Since he has been transferred to Udhagamandalam, he has not joined in the said post and now on medical leave. The petitioner however has made representation to cancel the said order of transfer and give him an alternative posting in Dharmapuri District. Such a representation dated 18.05.2018 is pending with the first respondent and as such he has filed the present writ petition seeking a direction to quash the order of transfer.

2. However, during the course of argument, it is submitted that though he has sought for aforesaid larger relief, but he confined his prayer seeking a direction to dispose of the representation made within a stipulated period.

3. The learned counsel appearing for the respondents submits that the respondents have no objection if such representation has been made to consider the same taking note of the facts and situations and pass necessary order as permissible under law.

4. Considering the aforesaid facts and submissions made, no useful purpose is going to be served in keeping the writ petition pending awaiting the reply affidavit of the respondents.

5. Hence, this Court regard being had to the aforesaid facts and submissions made, dispose of this writ petition with a direction to the respondent No.1 to take an informed and considered decision on such representation dated 18.05.2018 seeking a modification of the order of transfer of the petitioner from Dharmapuri to Udhagamandalam within a period of four weeks from the date of receipt of a copy of this Order.

6. However, during the interregnum, but till disposal of the said representation within the aforesaid period, no coercive action shall be taken against the petitioner for not joining in his present place of posting.

7. With the aforesaid observations, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

lok
To

1. The Director of Horticulture,
Horticulture Department,
Chepauk,
Chennai 600 005

2. The Deputy Director of Horticulture,
Dharmapuri,
Dharmapuri District

+1 CC to Govt. Pleader sr 4412.

+1 CC to Mr.J. Selvarajan, Advocate sr 43455.

W.P.No.16496 of 2018 and
W.M.P.No.19698 of 2018

SP(20/07/2018)