

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.Nos.17211 to 17213 of 2018

W.M.P.Nos.20482 to 20487 of 2018

1.A.Devaki Devi ... Petitioner in W.P.No.17211 of 2018
2.C.Saranraj ... Petitioner in W.P.No.17212 of 2018
3.V.Viswanathan ... Petitioner in W.P.No.17213 of 2018

Vs

1.The Sub-Collector,
Cuddalore & District. ... 1st Respondent in all WP's

2.Mr.Sriraman,
Village Administrative Officer,
Puliyur (East) Village,
Kurinchipadi Taluk,
Cuddalore District.... 2nd Respondents in W.P.No.17211 of 2018

3.Mr.A.Elanchezhian,
Village Administrative Officer,
Poovani Kuppam (South) Village,
Kurinchipadi Taluk,
Cuddalore District. ... 2nd Respondents in W.P.No.17212 of 2018

4.Mr.B.Balakrishnan,
Village Administrative Officer,
Theerthanagiri Village,
Kurinchipadi Taluk,
Cuddalore District. ... 2nd Respondents in W.P.No.17213 of 2018

PRAYER in W.P.No.17211 of 2018 : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in Na.Ka.A6/2737/2018, dated 22.06.2018 (served on 07.07.2018) and quash the same in so far as the petitioner is concerned and direct the 1st respondent to retain the petitioner in Ellappanpettai 'A' Village as VAO.

PRAYER in W.P.No.17212 of 2018 : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in Na.Ka.A6/2737/2018, dated 22.06.2018 (served on 07.07.2018) and quash the same in so far as the petitioner is concerned and direct the 1st respondent to retain the petitioner in Kurinchipadi (North) 'A' Village as VAO.

PRAYER in W.P.No.17213 of 2018 : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in Na.Ka.A6/2737/2018, dated 22.06.2018 (served on 07.07.2018) and quash the same in so far as the petitioner is concerned and direct the 1st respondent to retain the petitioner in Parvathipuram 'A' Village as VAO.

For Petitioners : Mr.G.Elanchezhiyan
For Respondents : Mr.J.Pothiraj,
Special Government Pleader

C O M M O N O R D E R

Heard Mr.G.Elanchezhiyan, learned counsel for the petitioners. Mr.J.Pothiraj, learned Special Government Pleader takes notice for the respondents.

2. By consent of the parties all the writ petitions are taken up together for final disposal at the admission stage itself by this common order.

3. The petitioners have filed the above writ petitions to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in Na.Ka.A6/2737/2018, dated 22.06.2018 (served on 07.07.2018) and quash the same in so far as the petitioners are concerned and direct the 1st respondent to retain the petitioners in their respective Villages as VAO.

4. The learned counsel for the petitioners would submit that the minimum tenure of the person posted in 'A' village is the period of one year. These petitioners were posted in 'A' village in the earlier order of transfer only on 01.09.2017 and they joined the post on 10.09.2017. Without completing one year period, the impugned order of transfer came to be issued, posting the petitioners to 'B' village as indicated in the order of transfer. Therefore, they are before this Court assailing the order of transfer.

5. Considering the limited scope of issue raised in these writ petitions, the impugned order of transfer in Na.Ka.A6/2737/2018, dated 22.06.2018, is hereby quashed for the reason that the same was in violation of G.O.Ms.No.515, Revenue Department, dated 25.08.2008. While quashing the impugned order, it is made clear that it is open to the authority to resort to any further transfer of these petitioners after completing the period of one year, in case such transfer is necessary for administrative reasons.

6. With the above direction, these writ petitions are allowed on the limited grounds. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-iv)

//True Copy//

Sub Assistant Registrar

gsk

To

The Sub-Collector,
Cuddalore & District.

+1cc to Mr.G.ELANCHEZHIAN, Advocate, S.R.No.44733
+2cc to Mr.G.ELANCHEZHIAN, Advocate, S.R.No.44732 & 44734
(12/11/2018)

W.P.Nos.17211 to 17213 of 2018

TR(11/07/2018)

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