

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.30365 of 2018

M.Mahendiran

...Petitioner

Vs

1.The Secretary to Government
Adidravidar and Tribal Welfare Department
Secretariat
Chennai-600 009.

2.The Director,
Adidravidar Welfare Department,
Chepauk,
Chennai- 600 005.

3.The Director,
Tribal Welfare Department,
Chepauk,
Chennai-600 005.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, directing the first respondent herein to transfer the petitioner's department transfer from Tribal Welfare Department to Adidravidar Welfare Department and thereby to transfer the petitioner's service to his native district Theni or any other place in and around his native place i.e. Theni District on considering the petitioner's department transfer willingness Application dated 13.08.2018 and the petitioner's representations dated 15.10.2018 and 16.10.2018 addressed to the respondents herein within a stipulated period of time.

For Petitioner : Mr.B.Ganesha Moorthy

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

Mr.A.N.Thambidurai, learned Special Government Pleader takes notice for the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the first respondent to dispose of his application dated 13.08.2018 by considering his representations dated 15.10.2018 and 16.10.2018.

3.According to the learned counsel for the petitioner, since the petitioner has completed 10 years of service in Government Tribal Residential Middle School, The Nilgiris, which is far away from his native place i.e., Theni, he submitted an application dated 13.08.2018, seeking departmental transfer from Tribal Welfare Department to Adidravidar Welfare Department and also duty transfer to his native place. Finding no response on the said application, he submitted detailed representations dated 15.10.2018 and 16.10.2018, which were also not considered by the respondents. Hence, the present writ petition.

4. The learned Special Government Pleader appearing for the respondents fairly submitted that the petitioner's representations would be considered on merits and in accordance with law, within a stipulated time to be fixed by this Court.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the first respondent to consider the representations of the petitioner dated 15.10.2018 and 16.10.2018 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of personal hearing to the petitioner as well as any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government
Adidraavidar and Tribal Welfare Department
Secretariat
Chennai-600 009.

2.The Director,
Adidraavidar Welfare Department,
Chepauk,
Chennai- 600 005.

3.The Director,
Tribal Welfare Department,
Chepauk,
Chennai-600 005.

+1cc to Mr.B.Ganesha Moorthy, Advocate Sr.78681
+1cc to the Government Pleader Sr.79168

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srg 10/1/2019