



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.2279 of 2018

and

W.M.P. (MD) No.2493 of 2018

M.Kalpatheen

... Petitioner

Vs.

1. The Superintending Engineer,
TANGEDO, Pudukkottai.

2. The Executive Engineer
(Operations and Maintenance),
TANGEDO, Pudukkottai.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to forthwith implement the transfer order dated 31.01.2018 issued in proceedings No.Ku.Aa.No.753/Ni.Pi/Udavi-2/Ko Kala Udavi/2018 issued by the 2nd respondent whereby the petitioner has been transferred from Punalkulam to Pudukkottai (Operation and Maintenance) Centre.

For Petitioner : Mr.B.Jameel Arasu
For Respondents : Mrs.Srimathy
Special Government Pleader

O R D E R

The petitioner is working as Line Inspector at Punalkulam. He has been seeking transfer to Pudukkottai (Operation and Maintenance) Centre. He has been submitting representations also.

2.The case of the petitioner is that his request was accepted and an order dated 31.01.2008 was also issued in his favour. But, thereafter, on account of certain extraneous circumstances, the authority concerned has chosen not to give effect to the order of transfer.

3.The petitioner's specific allegation is that in order to oblige somebody else, his transfer order has been kept in abeyance and somebody else is sought to be posted in his place.



4.This Court does not find any merit in the submission of the learned counsel for the writ petitioner. The petitioner cannot insist or demand that he should be transferred from Punalkulam to Pudukkottai. It is for the authority to take a decision in this matter. Admittedly, in the present case, the order of transfer was never communicated to the writ petitioner. When an order of this nature was never communicated to the writ petitioner, it is not known as to how the writ petitioner could maintain a writ petition for enforcing the same. The petitioner has obtained a copy of order through illegal sources. The submission of the learned counsel for the petitioner is that the Union Leader passed on a copy of the transfer order to him. The rights of the petitioner are in no way infringed.

5.The writ petition is therefore dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintending Engineer,
TANGEDO, Pudukkottai.
2. The Executive Engineer
(Operations and Maintenance),
TANGEDO, Pudukkottai.

+ 1 CC TO Mr.B.JAMEEL ARASU, ADVOCATE IN SR No. 46770

ARUL
TE/SV-MMS/SAR-2 : 14/02/2018 : 2P/4C

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