



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.4338 of 2018

and

W.M.P. (MD) .Nos.4448 & 4449 of 2018

D.Premalatha

...Petitioner

Vs.

1.The Secretary to Government,
Public Works Department,
St.George Fort,
Chennai.

2.The Engineer in Chief (Buildings),
Chief Engineer (Buildings),
Chennai Region,
Chepauk, Chennai.

3.Mr.R.Jeyasingh,
Engineer in Chief (Buildings),
Chief Engineer, (Buildings),
Chennai Region,
Chepauk, Chennai.

4.The Executive Engineer,
Public Works Department,
(Buildings),
C & M Division,
Madurai-2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent vide proceedings No.S 3(1)/18138/2017 dated 29.12.2017 and quash the same in so far as the transfer of the petitioner alone and consequently direct the respondents to conduct a general counseling and effect transfer on the basis of the seniority within a time limit fixed by this Court.

For Petitioner : Mr.P.Gunasekaran

For Respondents : Mrs.S.Srimathi

Special Government Pleader

ORDER

Mrs.S.Sriamathi, learned Special Government Pleader, takes notice on behalf of the respondents.

By consent of both parties, the main Writ Petition itself is taken up for final disposal at the stage of admission.



3. Heard Mr.P.Gunasekaran, learned counsel, takes notice on behalf the petitioner and Mrs.S.Srimathi, learned Special Government Pleader, appearing for the respondents.

4. The petitioner is working as Junior Assistant cum Typist in the office of the fourth respondent. She has been promoted as Assistant and transferred. The petitioner's grievance is that the transfer order has come when the petitioner's daughter is about to take the Board exams. The petitioner's daughter is now in the 12th standard. The petitioner has given a representation dated 03.01.2018, requesting the authority to re-consider the place of transfer.

5. Therefore, the second respondent is directed to consider the said representation dated 03.01.2018 and pass appropriate orders on merits in accordance with law. Since the petitioner's daughter is taking Board exams and the petitioner's husband is employed abroad, in the interest of justice, this Court directs that the order of transfer shall be kept in abeyance till 30.04.2018.

6. The Writ Petition is disposed of accordingly. No costs. consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Public Works Department,
St. George Fort, Chennai.
2. The Engineer in Chief (Buildings),
Chief Engineer (Buildings),
Chennai Region,
Chepauk, Chennai.
3. The Engineer in Chief (Buildings),
Chief Engineer, (Buildings),
Chennai Region,
Chepauk, Chennai.
4. The Executive Engineer,
Public Works Department,
(Buildings),
C & M Division,
Madurai-2.

+1cc to Mr.P.GUNASEKARAN, Advocate, SR. 52161

+1cc to M/S. Special Government Pleader, SR. 52917

W.P. (MD) .No.4338 of 2018
01.03.2018