



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.19737 of 2017

and

WMP (MD) Nos.16008 & 16009 of 2017

S.S.Subbiah

... Petitioner

Vs.

1. The Director General,
Central Industrial Security Force,
No.13, CGO Complex,
Lodhi Road, New Delhi - 110 003.
2. The Additional Director General /
Airport Sector,
Central Industrial Security Force,
B4, Wing 4th Floor, Antyudhaya Bhavan
No.16, CGO Complex,
Lodhi Road, New Delhi-110 003.
3. The Deputy Inspector General/APSZ,
Central Industrial Security Force,
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.
4. The Deputy Commandant,
Central Industrial Security Force Unit,
Airport Security Guard,
Trichy - 620 007.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the order passed by the second respondent Posting Order No.35/2017, issued under letter No.E-38014/2/2017/AS/Adm/IZT-2017(HC/GD)/2099 dated 23.02.2017 and quash the same and to direct the respondents to retain the petitioner at CISF Unit, ASG, Trichy Airport till completion of the tenure ie., up to May 2019.

For Petitioner

: Mr.M.Md.Ibrahim Ali

For Respondent

: Mr.R.Murugappan

**O R D E R**

The writ petitioner is working as Head Constable in Central Industrial Security Force. He was transferred from CISF Unit IGI Airport New Delhi to Trichy airport on 30.01.2016. He was once again re-transferred from Trichy Airport to New Delhi by the impugned order dated 23.02.2017.

2.The writ petitioner submitted a representation on 11.04.2017 for cancellation of the said transfer order. The said request was forwarded to the second respondent. In fact, in the forwarding note, it was observed that the writ petitioner's case for cancellation of posting may kindly be considered. On the ground of his son's education. It was specifically noted that the case of the writ petitioner appeared to have genuine. But, the said request was rejected on 20.10.2017. The copy of the E-mail message is enclosed at Page No.30 of the typed set of papers. The request made by the writ petitioner was rejected by a non speaking order. The writ petitioner's son is presently studying at Pudukkottai. His first language is Tamil.

3.The learned counsel appearing for the writ petitioner on instructions submitted that the writ petitioner shall join in the transferred place on 01.05.2018 or any other later date which the authority may indicate. Considering the fact that the writ petitioner's son is presently studying in Tamil medium school at Pudukkottai, this Court is inclined to take a sympathetic view. This writ petition is disposed of by directing the respondents to permit the writ petitioner to join in the transferred place on or after 01.05.2018. He shall be permitted to serve in Trichy Airport till 30.04.2018. This writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Director General,
Central Industrial Security Force,
No.13, CGO Complex,
Lodhi Road,
New Delhi - 110 003.



2. The Additional Director General /
Airport Sector,
Central Industrial Security Force,
B4, Wing 4th Floor, Antyudhaya Bhavan
No.16, CGO Complex,
Lodhi Road, New Delhi-110 003.

3. The Deputy Inspector General/APSZ,
Central Industrial Security Force,
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.

4. The Deputy Commandant,
Central Industrial Security Force Unit,
Airport Security Guard,
Trichy - 620 007.

+ 1 CC TO Mr.MOHAMED IBRAHIM ALI, ADVOCATE IN SR No. 40593

+ 1 CC TO Mr.R.MURUGAPPAN, ADVOCATE IN SR No. 40544

SKM

TE/SKN-RSK/SAR-1 : 23/01/2018 : 3P/7C

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