

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2019

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.No.991 of 2019

E.Shankaranarayanan

....Petitioner

Vs

1.The Commissioner of Sugar,
No.474, Anna Salai,
Nandanam, Chennai.

2.The Managing Director,
Ambur Cooperative Sugar Mills,
Ambur, Vellore District.

3.The Managing Director,
Dharmapuri Cooperative Sugar Mills,
Dharmapuri,
Dharmapuri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the respondents to transfer the petitioner from the 2nd respondent Ambur Cooperative Sugar Mills to the 3rd respondent Sugar Mills by considering his representation dated 28.09.2017.

For Petitioner : Mr.E.P.Senniyagiri

For Respondents : Mr.Bala Ramesh

Special Government Pleader for R1

Mr.L.P.Shanmugasundaram

Special Government Pleader
for R2 & R3

O R D E R

Mr.Bala Ramesh, learned Special Government Pleader takes notice for the first respondent. Mr.L.P.Shanmugasundaram, learned Special Government Pleader takes notice for the respondents 2 and 3. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this writ petition is for a mandamus, directing the respondents to transfer the petitioner from second respondent Ambur Cooperative Sugar Mills to third respondent Sugar Mills, by considering his representation dated 28.09.2017.

3. According to the learned counsel for the petitioner, the petitioner is a native of Dharmapuri District and he has completed 25 years of service in the post of Cane Assistant in the third respondent Cooperative Sugar Mills, Dharmapuri, which is his parent mill. Thereafter, he was promoted as Cane Officer and transferred to the second respondent Cooperative Sugar Mills, Ambur. It is further stated that the petitioner has submitted several representations to the first respondent, seeking transfer to his parent mill, since, there are two vacancies existing in the post of Cane Officer in the parent mill. Finding no response on the said representation, he submitted detailed representation dated 28.09.2017, which was also not considered by the first respondent. Hence, the present writ petition.

4. The learned respective counsels appearing for the respondents fairly submitted that the petitioner's representation 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 representation of the petitioner dated 28.09.2017 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 six 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.

ms

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Sugar,
No.474, Anna Salai, Nandanam, Chennai.

2. The Managing Director,
Ambur Cooperative Sugar Mills,
Ambur, Vellore District.

3. The Managing Director,
Dharmapuri Cooperative Sugar Mills,
Dharmapuri, Dharmapuri District.

+1cc to Mr. E.P.Senniyagiri, Advocate SR.No. 3917

+1 CC TO GOVERNMENT PLEADER SR.NO. 5086

W.P.No.991 of 2019

A.SK (27/02/2019)