

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2019

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.15291 of 2019

A.Parameswaran

.. Petitioner

Vs.

1.The Director of Horticulture,
Horticulture Department,
Chepauk,
Chennai-600 005.

2.The Director of Agriculture,
Agriculture Department,
Chepauk,
Chennai-600 005.

3.The Joint Director of Horticulture,
Joint Director of Horticulture Office,
Krishnagiri District -635 115

..Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 05.04.2019 for request of transfer and it was also forwarded by the third respondent to first respondent in his proceedings No.Ka.No.A1/4143/2018 dated 11.04.2019 with all consequential benefits and in accordance with law within time frame.

For Petitioner .. Mr.P.Ganesan

For Respondents.. Mr.J.Pothiraj, Spl G.P. for R1 to 3

ORDER

This writ petition has been filed seeking for issuance of a Mandamus to direct the respondents to consider the representation of the petitioner dated 05.04.2019 given to the first respondent requesting for transfer which was also forwarded by the first respondent to third respondent by

proceedings No.Ka.No.A1/4143/2018 dated 11.04.2019 in accordance with law within time frame.

2. The petitioner was appointed as Junior Assistant on compassionate grounds on 12.08.1994 and he was allotted to the Directorate of Agricultural Department. On 26.05.2012, the petitioner was transferred and posted at the Office of the Deputy Director of Horticulture, Dharmapuri. According to him, he has served in the new department for the past seven years and due to family circumstances, he has requested to transfer back to the parent Agricultural department. In this regard, the petitioner has submitted a representation dated 05.04.2019 to the first respondent and the same was also forwarded by the first respondent to the third respondent vide his proceedings dated 11.04.2019. But the said representation has not been disposed of by the third respondent till date. Therefore, the petitioner has come before this Court seeking for issuance of writ of mandamus.

3. According to the learned counsel for the petitioner the competent authority has recommended for re-transfer of the petitioner to his parent department but for some reasons, the said representation of the petitioner has not been disposed of yet.

4. Mr. J. Pothiraj, the learned Special Government Pleader, who accepts notice on behalf of the respondents has no objection to issue direction to the third respondent to dispose of the petitioner's representation dated 05.04.2019.

5. In view of the limited prayer sought for and also the submissions made on behalf of the parties, the third respondent is directed to dispose of the petitioner's representation dated 05.04.2019 and pass orders in accordance with law and on merits, within a period of four weeks from the date of receipt of a copy of this order by taking into consideration the earlier recommendation made by the competent authority in this regard.

6. The writ petition is disposed of, with the above direction. No costs.

s/d-

Assistant Registrar (J)

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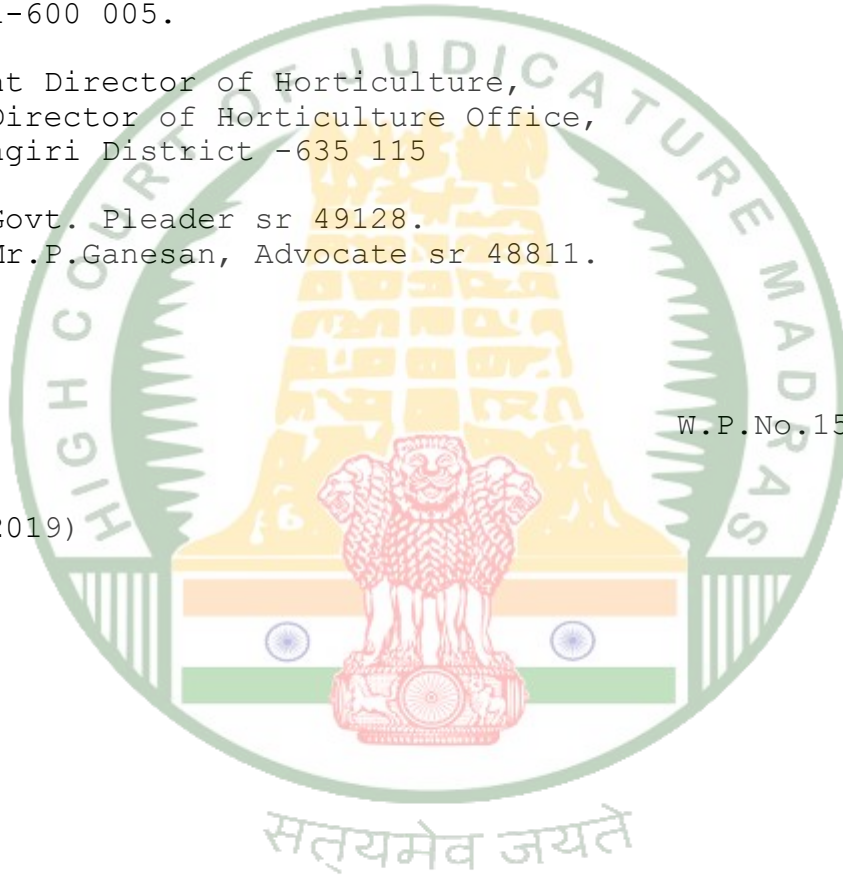
Sub-Assistant Registrar

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To

- 1.The Director of Horticulture,
Horticulture Department,
Chepauk,
Chennai-600 005.
 - 2.The Director of Agriculture,
Agriculture Department,
Chepauk,
Chennai-600 005.
 - 3.The Joint Director of Horticulture,
Joint Director of Horticulture Office,
Krishnagiri District -635 115
- +1 CC to Govt. Pleader sr 49128.
+1 CC to Mr.P.Ganesan, Advocate sr 48811.

W.P.No.15291 of 2019

SP(04/07/2019)



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