

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.17434 of 2019

K.Rajkumar

..Petitioner

vs

1.The Additional Chief Secretary/Commissioner of/
Revenue Administration,
Office of the Commissioner of Revenue Administration,
and Disaster Management, Chennai-600 005.

2.The Collector, Thanjavur,
Thanjavur District.

3.The Collector, Theni
Theni District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the first respondent to consider the petitioner's
representation dated 13.03.2019 requesting for transfer to his
native district, namely Theni District taking into consideration
the vacancies existing in Thekkampatti, Megamalai, Kodangipatti,
Koolayanur Vadaveeran Naicken Patti and Anaimalayan @
Mathingapuram Villages.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.R.S.Selvam
Government Advocate

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O R D E R

This Writ Petition is filed to issue a Writ of Mandamus,
directing the first respondent to consider the petitioner's
representation dated 13.03.2019 requesting for transfer to his
native district, namely Theni District taking into consideration
the vacancies existing in Thekkampatti, Megamalai, Kodangipatti,
Koolayanur Vadaveeran Naicken Patti and Anaimalayan @
Mathingapuram Villages.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for R1. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner is working as Village Administrative Officer in Pasupathi Kovil-II Village, Papanasam Taluk, Thanjavur District. Initially, he was appointed as VAO on 18.01.2013 in Perumakkanallur Villae, Papanasam Taluk, Thanjavur District and transferred to Pasupathikoil-I Village on 01.07.2016 and again transferred to Pasupathikoil-II Village on 01.10.2017. Due to family circumstances, he applied for transfer to his native District, namely Theni District on 22.05.2014 and the same was rejected on the ground that there was no vacancy. Again, he submitted application on 23.12.2015 and the same was also not considered by the 1st respondent. Lastly, the petitioner submitted a representation to the first respondent explaining his family circumstances and requesting him to order his transfer to Theni District. Till date, the petitioner's representation was not considered. Hence the present writ petition is filed.

4. The learned counsel for the petitioner submitted that it would suffice if a direction is passed to the 1st respondent to consider the representation of the petitioner dated 13.03.2019, within a reasonable time as fixed by this Court.

5. The learned counsel appearing for the 3rd respondent accede to the submission made by the learned counsel for the petitioner and submitted that if any such representation was received by the respondent, the same will be considered on merits and in accordance with law.

6. Thus, without going into the merits of the case, this Court is inclined to direct the respondent to consider the representation of the petitioner dated 13.03.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

7. With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

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To

1.The Additional Chief Secretary/Commissioner of/
Revenue Administration,
Office of the Commissioner of Revenue Administration,
and Disaster Management, Chennai-600 005.

2.The Collector, Thanjavur,
Thanjavur District.

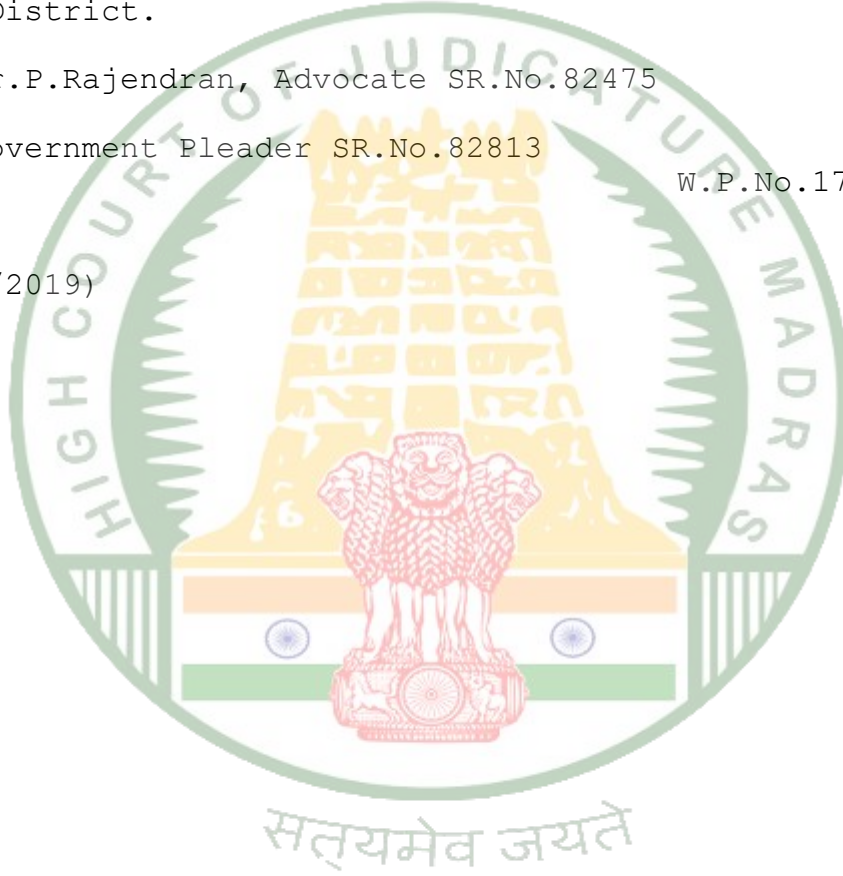
3.The Collector, Theni
Theni District.

+1cc to Mr.P.Rajendran, Advocate SR.No.82475

+1cc to Government Pleader SR.No.82813

W.P.No.17434 of 2019

SS(CO)
GMY(05/11/2019)



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