

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.08.2019

Coram

The Hon'ble Mr. Justice V.PARTHIBAN

W.P.No.18765 of 2019

S.Santhana Krishnan

..Petitioner

vs.

1.The District Revenue Officer,
Cuddalore,
Cuddalore District.

2.The Sub-Collector,
Cuddalore,
Cuddalore District.

3.The Tahsildhar,
Kurinjipadi Taluk,
Cuddalore District.

..Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the 1st respondent to consider the appeal of the petitioner dated 27.11.2018 and pass suitable order in regard to mutual transfer.

For Petitioner ... Mr.Elanchezhiyan.G

For Respondents ... Mr.J.Pothiraj
Special Government Pleader

ORDER

The petitioner was working as Village Administrative Officer at Mannampadi Village, Virudhachalam Taluk, Cuddalore District. A mutual transfer application was submitted on 13.10.2017 by one Mr.V.Shanmugam, who was working as Village Administrative Officer at Vadakuthu Village, Kurinjipadi Taluk. According to the request, the petitioner wanted to be posted in the place where Mr.V.Shanmugam is working and vice versa. The third respondent has also submitted the report to the second respondent recommending the consideration of the mutual transfer request. Since, no orders were passed, further representation was made on 22.05.2018. Once again, the third respondent by his

proceedings in July 2018, recommending for action to be taken in the mutual transfer application. However, the second respondent by proceedings dated 10.10.2018, replied to his mutual transfer application that in view of the on set of North East monsoon, the transfer would not be considered till January, 2019.

2. The learned counsel appearing for the petitioner would submit that now eight months have lapsed from January 2019, still the transfer application has not been considered. In fact, according to the counsel, earlier the petitioner submitted an appeal to the first respondent on 27.11.2018, as against the order passed by the second respondent dated 10.10.2018. However, the appeal has not been disposed of. Therefore, the petitioner is before this Court seeking for a writ of mandamus to consider the appeal preferred by the petitioner and dispose of the same.

3. After notice, Mr.J.Pothiraj entered appearance on behalf of the respondent. The learned Special Government Pleader would submit that the first respondent may be directed to dispose of the appeal of the petitioner dated 27.11.2018 within the time stipulated by this Court.

4. In view of the limited prayer sought by the writ petitioner, the first respondent is directed to dispose of the appeal submitted by the writ petitioner on 27.11.2018 on merits, and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

pns

To

1.The District Revenue Officer,
Cuddalore,
Cuddalore District.

2.The Sub-Collector,
Cuddalore,
Cuddalore District.

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3.The Tahsildhar,
Kurinjipadi Taluk,
Cuddalore District.

+1cc to Mr.G.Elanchezhiyan, Advocate, S.R.No. 70643

+1cc to the Government Pleader, S.R.No. 71150

W.P.No.18765 of 2019

GP(CO)
GN(11/10/2019)



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