

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2019

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.18524 of 2019
& WMP No.17836 of 2019

V.P.Saravanan

...

Petitioner

Vs.

- 1.The Secretary to Government,
Government of Tamilnadu,
Planning, Development and
Special Initiative Department,
Fort St. George, Secretariat,
Chennai -600 009.
- 2.The Commissioner,
Department of Economics and Statistics,
D.M.S.Campus, Teynampet,
Chennai-600 006
- 3.The Additional Director,
Department of Economics and Statistics,
D.M.S.Campus, Teynampet,
Chennai-600 006
- 4.The Joint Director-Administration,
Department of Economics and Statistics,
D.M.S.Campus, Teynampet,
Chennai-600 006
- 5.The Assistant Director-Estt.,
Department of Economics and Statistics,
D.M.S.Campus, Teynampet,
Chennai-600 006

... Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus to direct the second respondent to consider the petitioner's application dated 08.03.2018 and the representation through e.mail dated 24.06.2019 under the spouse employee category.

For Petitioner .. Mr.S.Ambigapathi

For Respondents .. Mr.J.Pothiraj, Spl G.P
for RR1 to 5

ORDER

This writ petition has been filed seeking for issuance of a Mandamus to direct the second respondent to consider the petitioner's application dated 08.03.2018 and the representation submitted through e-mail dated 24.06.2019 under the spouse employee category.

2. The petitioner has approached this Court seeking for issuance of a Writ of Mandamus to direct the second respondent to consider his application/representation for transfer to Tiruvannamalai Town, where his wife is working as a Teacher at Government School. According to him, they have two daughters and one son and all of them are studying at Tiruvannamalai, whereas, the petitioner has been transferred and working as Statistical Officer at Dharmapuri District.

3. In the said circumstances, an application/representation dated 08.03.2018 made by the petitioner to the second respondent requesting to transfer him from the present office to Tiruvannamalai.

4. Heard, Mr.S.Ambigapathi, learned counsel for the petitioner and Mr.J.Pothiraj, learned Special Government Pleader appearing for the respondents.

5. Today, when the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents would submit that the application/representation submitted by the petitioner requesting for transfer to Tiruvannamalai was considered and the same was rejected by the proceedings of the second respondent dated 10.07.2019.

6. In view of the rejection order passed by the second respondent, the direction as sought for in this writ petition cannot be granted, as the same does not survive for any further consideration. It is open to the petitioner to challenge the order of rejection, if the petitioner is so advised.

7. Therefore, the Writ Petition is dismissed with liberty to the petitioner to challenge the order of rejection, dated 10.7.2019 passed by the 2nd respondent in the manner known to law, if he is so advised. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

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To Sub Assistant Registrar

- 1.The Secretary to Government,
Government of Tamilnadu,
Planning, Development and
Special Initiative Department,
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Chennai -600 009.
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Chennai-600 006.

+1cc to Mr.S.Ambigapathi, Advocate Sr.60856

W.P.No.18524 of 2019

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srg 05/09/2019