

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

C O R A M

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

Writ Petition No. 19944 of 2018
and
M.P. No. 23378 of 2018

K.Viswanathan

... Petitioner

Vs.

- 1.The Union of India
Rep by its Secretary to Government
Ministry of Home Affairs
North Block, Parliamentary House
New Delhi.
- 2.The Director General
CISF Head Quarters
No.13, CGO Complex
Lodhi Road, New Delhi 110 003.
- 3.The Inspector General of Police
Central Industrial Security Force
South Sector Head Quarters
Chennai - 600 009.
- 4.The Deputy Commandant
Office of the Deputy Inspector General of Police
Central Industrial Security Force
Rajaji Bhavan, Besant Nagar
Chennai - 600 090.
- 5.Mr.Bhupinder Singh
The Deputy Commandant
Central Industrial Security Force Unit
CISF Unit SSP, Selam
Selam District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Impugned order passed by the fourth respondent Letter No.E-38020/SZ/Adm-II/2018/5428, dated 25.06.2018 along with the office Memorandum No.38014/CISF/SSP (S)/Adm posting/2018/3346 in so far as the item No.2 is concerned in serial No.02 and the Movement Order No. E-38014(5)/

7/Out/Adm/SSP(S)/2018/3353, dated 18.07.2018 issued by the fifth respondent and quash the same and to direct the respondents to retain the petitioner till the date of Superannuation i.e. 30.04.2020 in the 5th respondent Unit.

For Petitioner : Mr.M.MD.Ibrahim Ali

For Respondents : Mr.D.Ramesh Kumar [For R1 to R4]
Central Govt. Standing Counsel

O R D E R

The order of transfer transferring the writ petitioner to SCCL Singaneri in proceedings dated 18.07.2018 is under challenge in the present writ petition.

2.The learned counsel for the writ petitioner states that the writ petitioner is having short span of service and in the eve of retirement. Thus, his case is to be considered for posting him in and around Salem district.

3.Pursuant to the impugned order of transfer, the writ petitioner had joined in the post at Singaneri and was working there. When he was working at Singaneri, Andhra Pradesh, the writ petitioner made a representation to the competent authorities to consider his case for re-transfer to Salem. The writ petitioner pursuant to his representation was permitted to appear before the Inspector General to redress his grievances. The Inspector General also conducted a personal hearing with the writ petitioner and after providing an opportunity of personal hearing, the case of the writ petitioner was considered and he was re-posted to Neyveli in Tamil Nadu. Pursuant to the re-posting order, the writ petitioner is yet to join duty at Neyveli in Tamil Nadu.

4.Under these circumstances, this Court of an opinion that the request made by the writ petitioner to transfer him to Salem was considered by the competent authorities, at the level of Inspector General and an opportunity of personal hearing was also provided and accordingly, the writ petitioner has been re-posted to Neyveli and it is left open to the writ petitioner to join at Neyveli and complete his service peacefully. Thus, no further consideration is required in this writ petition.

5. Accordingly, this writ petition stands disposed off. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government
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New Delhi.
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Rajaji Bhavan, Besant Nagar
Chennai - 600 090.

+1cc to M/S.D.Rameshkumar, Advocate Sr.35630

+1cc to Mr.M.Md.Ibrahim, Advocate Sr.35462

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srg 30/05/2019