

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 28264 of 2019

N.Balakrishnan
S/o/C.Narayanan
District Differently Abled Welfare Officer
Udhagamandalam
Nilgiris District.

..Petitioner

Vs

The State Commissioner
for Differently Abled Welfare
Lady Welligton College Complex
Kamarajar Salai
Chennai 600 005.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of writ of Mandamus, directing the Respondent to re-transfer the Petitioner, who is on the verge of his retirement from Udhagamandalam to Salem District or Ariyalur District, within a very short span and allow him to continue thereon till retirement on 31.05.2020.

For Petitioner : Mr.M.Ravi

For Respondent : Mrs.A.Srijeyanthi
Additional Government Pleader.

O R D E R

The prayer sought for in this Writ Petition is for issuance of a Writ of Mandamus, directing the Respondent to re-transfer the Petitioner, who is on the verge of his retirement from Udhagamandalam to Salem District or Ariyalur District, within a very short span and allow him to continue thereon till retirement on 31.05.2020.

2. The case of the petitioner is that the petitioner joined service as Orthotic Technician in the Social Defence Department, on 25.02.1989 and was promoted as Junior Rehabilitation Officer

on 13.02.2012 and as District Differently Abled Welfare Officer on 01.02.2017. The petitioner is now serving as District Differently Abled Welfare Officer, Udhagamandalam, Nilgiris District. The petitioner due to retire from his service is on 31.05.2020.

3. The learned counsel appearing for the petitioner would submit that while the petitioner was serving as District Differently Abled Welfare Officer at Perambalur from 12.09.2017 onwards, the petitioner was subjected to transfer within one year of his joining duty at Perambalur, in and by Pro.No.1644/Adm.1/2018 dated 15.05.2018 of the Respondent. By that Order, the petitioner was transferred and posted as District Differently Abled Officer, Nilgiris District, Udhagamandalam. Prior to the issue of the said order during the year 2018, all District Abled Officers were instructed by the Respondent to submit their option, giving three places to which they are willing to be transferred. The petitioner did not submit any option as per orders of the Head of the Department, as the petitioner had not even completed one year of service and the petitioner was not due for transfer.

4. The learned counsel for the petitioner would submit that it would be suffice if this Court issues a direction to the respondent to consider the petitioner's representation dated 07.07.2019 within a stipulated time frame fixed by this Court.

5. Without expressing any opinion on merits, I am inclined to issue a direction to the respondent to dispose of the Writ Petitioner's representation dated 07.07.2019, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

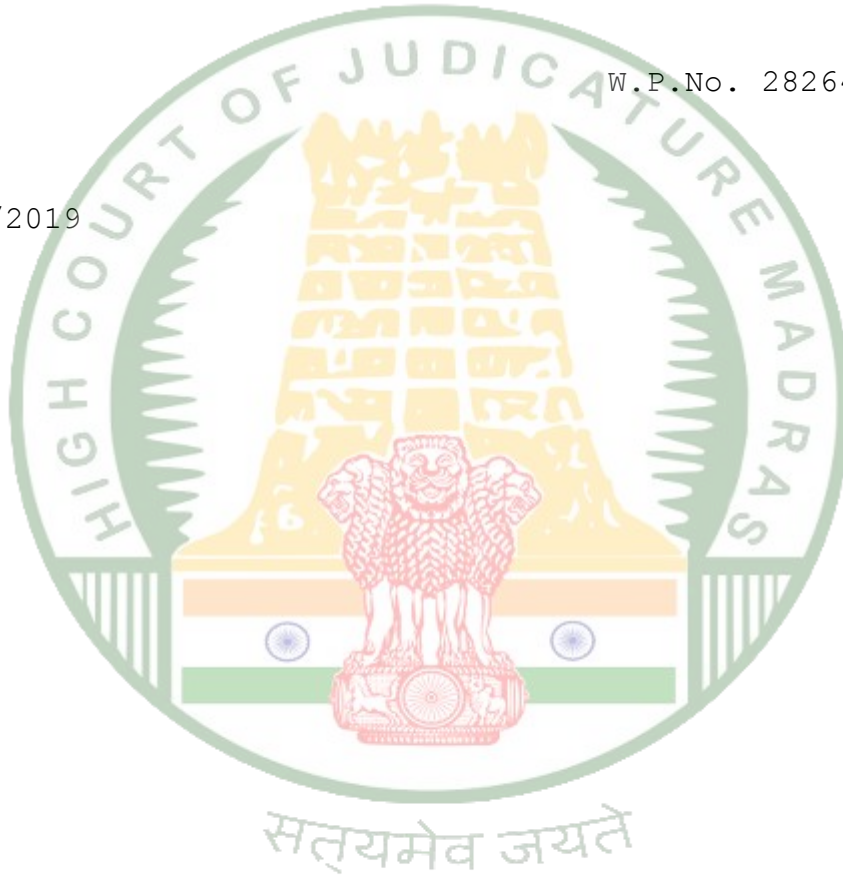
To

The State Commissioner
for Differently Abled Welfare
Lady Welligton College Complex
Kamarajar Salai
Chennai 600 005.

+lcc to Mr.M.Ravi, Advocate Sr.83104

W.P.No. 28264 of 2019

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srg 20/11/2019



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