



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) No.19488 of 2013

and

M.P. (MD) No.1 of 2013

WEB COPY

M. Muruganantham

... Petitioner

Vs

1.The Director,
Harijan Welfare,
Secretariat,
Fort St. George,
Chennai-9.

2.The District Schedule Caste
and Schedule Tribe Welfare Officer,
Kanyakumari District,
Nagercoil,
Kanyakumari District.

3.The Headmaster,
Government Schedule Tribe,
Residential Higher Secondary School,
Petchiparai,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records pertaining to the impugned order of the 2nd respondent herein dated 22.11.2013 in J1/34856/2013 and quash the same.

For Petitioner : Mr.R.Vijayakumar

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

The impugned order dated 22.11.2013 states that the writ petitioner was relieved from service on administrative reasons. The learned counsel for the writ petitioner states that the writ petitioner was not posted to any other place nor issued with any other transfer order. In view of the fact that the writ petitioner was simply relieved, he approached this Court and by virtue of the interim order granted, the writ petitioner is continuing in service.



promotions, transfer orders to some other stations. Mere relieving is insufficient as the employee cannot be in a position to join in any other place. Interim order is also in his favour. Under these circumstances, if any transfer order or action are to be taken, the same has to do in accordance with law and the Government orders, in force.

3. Therefore, the relieving order stands quashed. The respondents are at liberty to initiate all further action if required in the interest of the administration.

4. Accordingly, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director,
Harijan Welfare,
Secretariat,
Fort St. George,
Chennai-9.

2. The District Schedule Caste
and Schedule Tribe Welfare Officer,
Kanyakumari District,
Nagercoil,
Kanyakumari District.

3. The Headmaster,
Government Schedule Tribe,
Residential Higher Secondary School,
Petchiparai,
Kanyakumari District.

+1 CC to M/s.R.VIJAYAKUMAR, Advocate (SR-69359[F] dated 18/06/2019)

+1 CC to M/s.SPL GP (SR-69636[F] dated 18/06/2019)

pnn

W.P. (MD) No.19488 of 2013
and

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