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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.199 of 2020

R.Vijaya Kumar

...Petitioner

Vs.

1. The Director General of College Education,
EVK Sampath Buildings,
College Road, Chennai -6.

2. The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram.

3. The Director of Education Program,
Annamalai University,
Annamalai Nagar,
Chidambaram.

...Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to consider the petitioner representation dated 19.08.2019 given for exemption from transfer on the ground of the petitioner's daughter mental ailment, within a time frame.

For Petitioner : Mr.A.Tamilvanan

For Respondents: Mr.E.Manokaran

Special Government Pleader
for R1.

Mr.K.Sathish Kumar for R2 and R3

O R D E R

This writ petition has been filed seeking for the issue of writ of Mandamus directing the respondents to consider the representation made by the petitioner, who is seeking exemption from transfer on the ground that his daughter is facing a serious mental ailment.



2. The case of the petitioner is that he is working as a Record Clerk in Annamalai University from the year 2006 onwards. His wife is working as a Junior Assistant in the Ariyalur Arts College, Ariyalur and therefore, she is not able to attend to her daughter, who is facing a mental ailment. Therefore, the entire responsibility has fallen on the petitioner, who is working as a Record clerk in the Annamalai University. The petitioner is managing to take care of his mentally retarded daughter and his aged parents. The grievance of the petitioner is that if he is transferred, he will be put to untold hardship and he will not be able to take care of the ailing daughter. Therefore, the petitioner has made a representation to the respondents on 19.08.2019, seeking for exemption from transfer. Since the same has not been considered, the present writ petition has been filed before this Court.

3. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the grievance that has been projected by the petitioner, there shall be a direction to the respondents to consider the representation made by the petitioner on 19.08.2019 and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order, subject to the availability of vacancy. The petitioner is directed to make a fresh representation to the respondents along with a copy of the representation dated 19.08.2019 and also a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Director General of College Education,
EVK Sampath Buildings,
College Road, Chennai -6.



2. The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram.

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3. The Director of Education Program,
Annamalai University,
Annamalai Nagar,
Chidambaram.

+1cc to Mr.A.Tamilvanan, Advocate Sr.1102
+1cc to the Government pleader Sr.1915
+1cc to M/s.K.Sathishkumar, Advocate Sr.1251

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ad[co]
srg 10/01/2020