

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2020

CORAM

THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.Nos.9454, 9459, 9460, 9462 and 9463 of 2020
and

W.M.P.Nos.11547, 11548, 11557, 11558,
11559, 11560, 11562, 11563,
11564, 11566 of 2020

K.Chithra Petitioner in
W.P.No.9454 of 2020

P.Amuthavalli Petitioner in
W.P.No.9459 of 2020

M.Chendhamarai Petitioner in
W.P.No.9460 of 2020

G.Hemalatha Petitioner in
W.P.No.9462 of 2020

S.Baskaran Petitioner in
W.P.No.9463 of 2020

Vs.

1.The Director,
Rural Development and
Panchayatraj Department,
Panagal Maligai,
Saidapet,
Chennai-600 015

2.The District Collector,
Vellore District.

3.The District Collector,
Tirupattur District,
Tirupattur.

4.The District Collector,
Ranipet District,
Ranipet

...Respondents in all W.Ps.

Prayer in W.P.No.9454 of 2020:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 3rd respondent proceeding No.Na.Ka. PA1/4732/2020-2, dated 06.07.2020 and 2nd respondent in proceeding No.Na.Ka.PB1/10734/2019, dated 15.06.2020 and quash the same in so far as the petitioner is concerned and direct the respondents herein to retain the petitioner in the same post and District (Ranipet District).

Prayer in W.P.No.9459 of 2020:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 3rd respondent proceeding No.Na.Ka. PA1/4732/2020-2, dated 06.07.2020 and 2nd respondent in proceeding No.Na.Ka.PB1/10734/2019, dated 15.06.2020 and quash the same in so far as the petitioner is concerned and direct the respondents herein to retain the petitioner in the same post and District (Vellore District).

Prayer in W.P.No.9460 of 2020:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 3rd respondent proceeding No.Na.Ka. PA1/4732/2020-2, dated 06.07.2020 and 2nd respondent in proceeding No.Na.Ka.PB1/10734/2019, dated 15.06.2020 and quash the same in so far as the petitioner is concerned and direct the respondents herein to retain the petitioner in the same post and District (Ranipet District).

Prayer in W.P.No.9462 of 2020:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 3rd respondent proceeding No.Na.Ka.PA1/4732/2020-2, dated 06.07.2020 and 2nd respondent in proceeding No.Na.Ka.PB1/10734/2019, dated 15.06.2020 and quash the same in so far as the petitioner is concerned and direct the respondents herein to retain the petitioner in the same post and District (Vellore District).

Prayer in W.P.No.9463 of 2020:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 2nd respondent in proceeding No.Na.Ka.PB1/10734/2019, dated 15.06.2020 and quash the same in so far as the petitioner is concerned and direct the respondents herein to allot the petitioner to Ranipet District.

For Petitioners : Mr.M.Ravi

For Respondents : Mr.Kathirvel, Spl.G.P.
In W.P.Nos.9454 and 9459 of 2020
Mr.P.S.Sivashanmugha Sundaram,
Spl.G.P.
In W.P.Nos.9460 & 9462 of 2020
Mr.J.Ramesh
Additional Government Pleader
in W.P.No.9463 of 2020

COMMON ORDER

The matters are taken up through web hearing.

2.In all these writ petitions, the impugned orders of the third respondent bearing common No.Na.Ka.PA1/4732/2020-2, dated 06.07.2020 and the 2nd respondent in proceeding No.Na.Ka.PB1/10734/2019, dated 15.06.202, transferring the petitioners as a fallout of trifurcation of Vellore District recently, are put to challenge.

3.The writ petitioners are working in the Rural Development and Panchayat Raj Department in the erstwhile composite Vellore District, which originally comprised Ranipet and Tirupattur regions. In view of trifurcation of Vellore District into Vellore, Tirupattur and Ranipet Districts, the competent authority had initiated action, shuffling several Government Servants working in these trifurcated Districts and posting them to various places. These petitioners are aggrieved by their transfer to the places other than they were employed originally in the erstwhile Vellore District or Ranipet Region. According to the petitioners, they are being unnecessarily disturbed and posted to far away places, by giving preference to new promotees, who can be accommodated in the places where the petitioners are now posted. According to the petitioners, they are all working as Block Development Officers and the subordinate officers, who are in the lower rank, to be promoted as Block Development Officers, have been given preference in filling up the vacancies to be vacated by them. Therefore, the petitioners are before this Court challenging the impugned orders.

4.On the earlier occasion, when the matters were taken up for hearing on 20.07.2020, Mr.Kathirvel, learned Special Government Pleader took notice for the respondents in W.P.Nos.9454 and 9459 of 2020, Mr.P.S.Sivashanmugha Sundaram, learned Special Government Pleader took notice for the respondents in W.P.Nos.9460 & 9462 of 2020 and Mr.J.Ramesh, learned Additional Government Pleader took notice in W.P.No.9463

of 2020 and they were directed to get instructions and accordingly, the matters were posted today (22.07.2020).

5. When the matters are taken up for hearing today, the learned Special Government Pleader, on instructions, submitted that there are vacancies in Vellore and Ranipet Districts.

6. The learned counsel Mr. M. Ravi, appearing for the petitioners, would submit that these petitioners have in fact requested, as per their choice, to be posted either in Vellore or in Ranipet, as the case may be and in view of the disclosure of the fact that vacancies are indeed available, a direction may be issued to the respondents to consider the request of the petitioners to be posted either in Vellore or Ranipet as per their preference, in the available vacancies.

7. Considering the fact that the vacancies are indeed available in both the Districts, this Court feels, in the fitness of things, that a direction can be issued to the respondents to consider the request of the petitioners, sympathetically and objectively.

8. The respondents/Competent Authorities are directed to consider the request of these petitioners for accommodating them, as per their preference either in Vellore or in Ranipet, as the case may be, in the available vacancies and suitable orders may be passed in that regard within a period of two weeks from the date of receipt of copy of this order. This order is passed in view of the disclosed fact that the vacancies are available in the respective Districts, as mentioned above and on that consideration this direction is issued.

The writ petitions stand disposed of as indicated above. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrm/msk

To

1. The Director,
Rural Development and
Panchayatraj Department,
Panagal Maligai,
Saidapet,
Chennai-600 015

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2.The District Collector,
Vellore District.

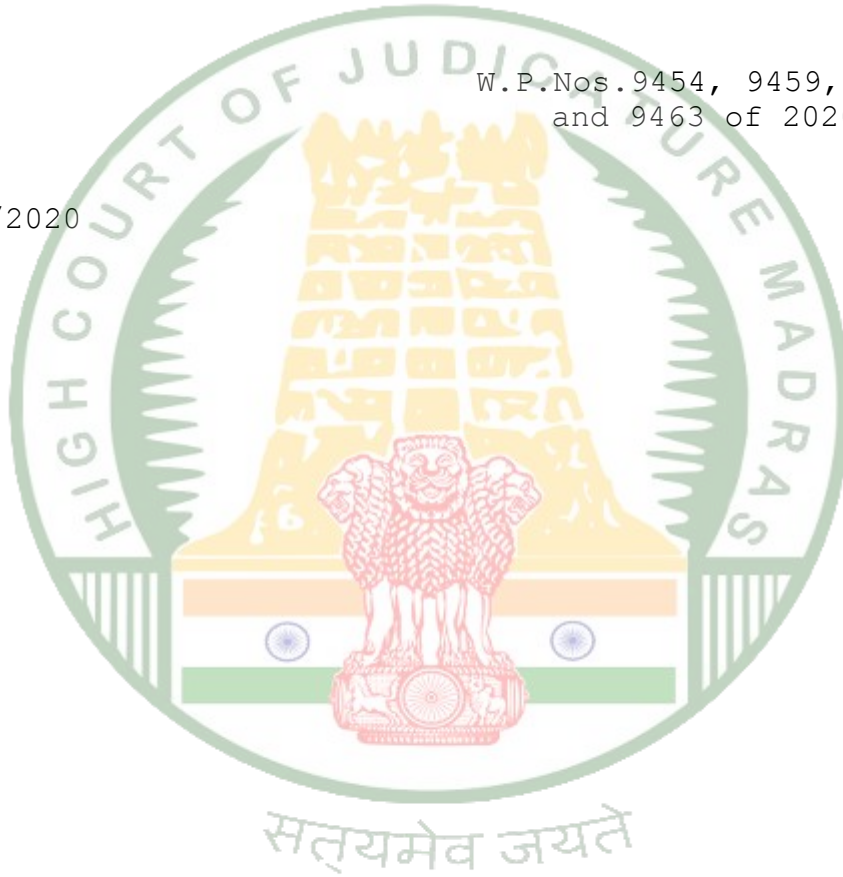
3.The District Collector,
Tirupattur District,
Tirupattur.

4.The District Collector,
Ranipet District,
Ranipet.

+1cc to the Government Pleader, S.R.No.25203

W.P.Nos.9454, 9459, 9460, 9462
and 9463 of 2020

VG I (CO)
KKV/05/08/2020



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