

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.21982 of 2019
and
WMP No. 21221 of 2019

V. Sivaraj

... Petitioner

-Vs-

The Commissioner of Labour
Teynampet, Chennai 6

.... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus or any other appropriate Writ or order or direction in the nature of a Writ, calling for the records of the respondent in connection with the impugned orders passed by him in E4/46115/2018-1 dated 21.12.2018 and E4/46115/2018 dated 23.05.2019 and quash the same and direct the respondents to re-transfer the petitioner to Chennai and grant him all consequential service and monetary benefits.

For Petitioner : Mr. M. Muthappan

For Respondent : Mr. A. Zakir Hussain
Government Advocate.

ORDER

This Writ Petition has been filed challenging the order of transfer passed by the respondent by his proceedings dated 23.05.2019.

2. The petitioner was working as an Assistant Inspector of Labour. The impugned order of transfer came to be passed on 21.12.2018 by transferring the petitioner from Chennai to Thiruvannamalai on deputation as a Superintendent to the office of the Assistant Commissioner of Labour.

3. The learned counsel for the petitioner submitted that the petitioner is facing health issues and therefore, even though the petitioner had joined the transferred place, he had to come on many occasions to Chennai to undergo treatment and, therefore, the petitioner has made a representation to the respondents to consider his request for retransfer to Chennai. The learned counsel submitted that the respondent can be directed to consider the representation and pass orders.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

5. Taking into consideration the facts and circumstances of the case and without going into the merits of the case, there shall be a direction to the respondent to consider the representation made by the petitioner on 04.07.2019 and deal with the same on its own merits and pass appropriate orders within a period of six (6) weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the respondent along with a copy of the representation dated 04.07.2019 and a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

bga

To

The Commissioner of Labour
Teynampet, Chennai 6

+1cc to Mr.M. Muthappan, Advocate SR.No.10218

W.P.NO.21982 of 2019

AD(CO)
GMY(28/02/2020)