



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **08.06.2020**
CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WEB COPY

W.P(MD) No. 6449 of 2020
and WMP(MD) Nos. 5748 & 5754 of 2020

S. Tamilselvi ... Petitioner
Vs.
1. The Commissioner of Labour,
Labour Department,
D.M.S. Compound,
Teynampet, Chennai - 600 006.
2. The Joint Commissioner of Labour,
Collectorate Buildings, Dindigul. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of ***Certiorari*** or appropriate Writ or order or direction in the nature of Writ, calling for the records pertaining to the impugned order passed by the first respondent in E2/1646/2020-7 dated 18.05.2020 quash the same.

For Petitioner : Mr.V. Karthikeyan
For Respondents : Mrs.J. Padmavathi
Special Government Pleader

ORDER

The writ petitioner has filed the instant writ petition, questioning the order of transfer passed by the first respondent, dated 18.05.2020 in E2/1646/2020-7 transferring the petitioner from Theni to Thiruvavarur.

2. Mrs.J. Padmavathi, learned Special Government Pleader takes notice for the respondents.

3. Heard the learned counsel for the petitioner.

4. The learned counsel appearing for the petitioner has stated that the order of transfer is malafide in nature. He has also stated that the relieving officer one S.Sangeetha/Assistant Commissioner of Labour, Batlagundu who has been vice versa transferred to Theni has not yet been taken charge from the petitioner. He also stated that the children of the petitioner are studying in Theni and the petitioner has been transferred far away



place to Tiruvarur. He has also stated that due to pandemic situation there is no transport facility to go to Theni from Tiruvarur.

5. Considering the facts and circumstances, the following directions are issued;

1. The petitioner is directed to join duty in the new transfer place i.e., Tiruvarur, on or before 01.07.2020. After joining the new station, the petitioner may give a requisition for transfer either to Virudhunagar or Tirunelveli or to any other place in Southern Districts, within a period of two weeks.
2. If a representation is given by the petitioner, the respondents may afford an opportunity to the petitioner for personal hearing and thereafter, note the reasons and pass appropriate orders in the said representation, within a period of two Weeks from the date of representation.
3. The respondents should not hold out against the petitioner for filing this writ petition.
4. The first respondent may grant personal hearing or an opportunity for giving written submissions.

6. With the above observations, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Commissioner of Labour,
Labour Department,
D.M.S. Compound,
Teynampet, Chennai - 600 006.
2. The Joint Commissioner of Labour,
Collectorate Buildings, Dindigul.

W.P(MD) No.6449 of 2020

08.06.2020

MK (12.06.2020) 2P 3C