



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.6611 of 2020

and

W.M.P(MD)No.5961 of 2020

WEB COPY

R.Balamurugan

... Petitioner

Vs.

1.The Engineer in Chief (WRD)
and Chief Engineer (Gl.)
Public Works Department,
Chepauk,
Chennai - 600 005.

2.The Chief Engineer (Buildings)
Public Works Department,
Madurai Region,
Madurai - 625 002.

3.The Superintending Engineer
PWD-Buildings (C & M) Circle - MW
Public Works Department,
Madurai - 625 002.

4.The Assistant Executive Engineer,
PWD-Buildings (C & M) Sub Division - MW
Public Works Department,
Ramanathapuram - 623 503,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's "Request Transfer Application, dated 21.11.2019" which has been recommended by the second respondent in the letter dated 07.02.2020 and the representations dated 14.05.2020 and 18.05.2020 of the petitioner and transfer the petitioner to any of the PWD Offices in Chennai on humanitarian grounds.

For Petitioner : Mr.B.Karunanithi

For Respondents : Mr.K.Mu.Muthu,

Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for disposal at the stage of admission itself.



2.The petitioner was appointed as Junior Assistant on compassionate ground on 28.07.1994 in the Public Works Department, Thiruvallur. He was transferred to Chennai in the year 1996 and he was promoted as Assistant on 10.12.2001. He was also promoted as Superintendent on 14.03.2014 and posted at Ramanathapuram, according to the petitioner, for the past more than six years. The petitioner claims that his mother is a Senior Citizen, aged 67 years and suffering from various diseases and is taking regular treatment at Chennai. The petitioner states that his presence is required to take care of his mother. His son is also studying in Chennai. In these circumstances, the petitioner had given a request of transfer application on 21.11.2019, through proper channel to the first respondent namely, the Engineer in Chief (WRD) and Chief Engineer (Gl.) Public Works Department, Chepauk, Chennai. The petitioner also claims that this transfer request was forwarded by the respondents 2 to 4 to the first respondent. Since no order has been passed, the petitioner has come forward with this writ petition.

3.Heard the learned Counsel on either side and perused the entire materials available on record.

4.It is only be in the interest of both the petitioner and the respondents, that on request for transfer by the petitioner, the respondents examine the fact of the request. Accordingly a Mandamus is issued directing the respondents to pass orders on the request of the petitioner. If it is required, the respondents may also seek and give an opportunity to the petitioner for giving a written submission separately for considering such request. The entire process shall be completed by the second respondent on or before 31.07.2020.

5.With the above observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RECORDS)

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/ /2020

Sub Assistant Registrar(CS)

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To

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