



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2020

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD) .No.15404 of 2020

and

W.M.P. (MD) .No.12941 of 2020

WEB COPY

S.Sundararaj

... Petitioner

Vs.

1.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai 600 004.

2.The Inspector General / Commissioner of Police,
Tirunelveli City,
Tirunelveli.

3.The Deputy Commissioner of Police (Law and Order),
Tirunelveli City,
Tirunelveli.

4.The Assistant Commissioner of Police (Law and Order),
Palayamkottai Sub Division,
Tirunelveli City,
Tirunelveli.

5.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
Tirunelveli.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent in connection with the impugned order of transfer and posting issued by him vide his proceedings in R.C.No.A1/14148/2020-1, dated 16.10.2020 and quash the same as illegal and arbitrary and thereby direct the first and second respondents to permit the petitioner to continue as Head Constable in the fifth respondent Police Station.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents: Mr.M.Jeyakumar
Additional Government Pleader



O R D E R

Challenging the impugned order of transfer and posting issued by the second respondent in R.C.No.A1/14148/2020-1, dated 16.10.2020, the present writ petition has been filed.

2. Originally the petitioner has challenged the transfer order issued by the second respondent. The said transfer order was passed due to administrative reasons. Though the petitioner has joined duty on 17.11.2020 at Vellore District, he has given a representation, dated 05.11.2020, to the first respondent, to re-consider his transfer, considering his health condition and the age of his mother. In the said representation, the petitioner has sought transfer either to one of the following Districts viz., Tenkasi, Tuticorin and Tirunelveli Districts.

3. Mr.M.Jeyakumar, learned Additional Government Pleader appearing for the respondents would submit that originally the petitioner was working as Head Constable at Tirunelveli District and now he was transferred to Vellore District and once again he wanted transfer on the same District. However, the other two Districts may be considered on merits and in accordance with law. Further, he would submit that everybody is facing the problem of sugar and pressure now a days and on this ground alone, the request for transfer cannot be considered. However, his request will be considered on merits and in accordance with law.

4. In view of the submissions made by both the counsels, this Court directs the first respondent to consider the petitioner's representation, dated 05.11.2020 and pass orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, considering the fact that the petitioner is suffering from diabetes and pressure.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

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Mylapore,
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Tirunelveli.

5.The Inspector of Police,
Perumalpuram Police Station,
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Tirunelveli.

+1 CC to SGP (SR-22511[F] dated 23/11/2020)

W.P (MD) .No.15404 of 2020

19.11.2020

SE (CO)

NR (30/11/2020) 3P : 7C