

IN THE HIGH COURT OF JUDICATURE OF MADRAS
DATED: 09.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33174 of 2004
and
W.M.P.No.40102 of 2004

E.Visalakshi

...Petitioner

Vs

1.The Collector,
Kancheepuram District.

2.The Block Development Officer,
Sithamur, Kancheepuram District.

3.Mr.R.Angamuthu,
Noon Meal Organiser,
Panchayat Union Elementary School,
Karumbakkam,
Kancheepuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records relating to the impugned order of the second respondent in Na.Ka.No.1472/04/A5 dated 04.11.2004 and quash the same.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.S.Thangavel, SGP
for R1

Mr.V.Subbarrayan
for R2

ORDER

By consent of both the parties, the present writ petition is taken up for final disposal.

2. The order of transfer dated 04.11.2004 issued to the petitioner herein is put under challenge in the present writ petition.

3. Pending the writ petition, the petitioner was permitted to continue in the same post as Noon Meal Organiser pursuant to

the interim order of stay granted by this Court.

4. The learned Special Government Pleader appearing for the first respondent, on instructions, affirms that the petitioner is still continuing in the same post.

5. It is seen that the transfer order was passed way back on 04.11.2004 and the petitioner has been continuing in the said post for the past 17 years. At this length of time, it would not be appropriate to interfere with the transfer order, since the administrative exigencies, which necessitated the petitioner to be transferred long back, may not subsist as on date. Nevertheless, if the respondents are of the view that the petitioner requires to be transferred in future, on administrative grounds, it would always be open to them to do so.

6. Accordingly, the impugned order passed by the second respondent dated 04.11.2004 is quashed and the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

hvk
To

1. The Collector,
Kancheepuram District.
2. The Block Development Officer,
Sithamur, Kancheepuram District.

+cc to Govt Pleader, Sr.No.22788

W.P.No.33174 of 2004

and

W.M.P.No.40102 of 2004

GPL(CO)
baf 07/05/2021

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