

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.4055 of 2021 and
W.M.P. Nos.4624 & 4625 of 2021

D.Rohini

... Petitioner

-vs-

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Social Welfare and Nutritious Meal
Programme Department,
Fort St. George, Chennai 600 009.
2. The Commissioner of Social Welfare Department,
Panagal Building,
Saidapet, Chennai - 15.
3. The District Social Welfare Officer,
Kanchipuram District,
Kanchipuram.
4. A.Vijayalakshmi ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records in pursuant to the impugned relieving order issued by the 3rd respondent in proceedings Se.Mu.Na.Ka.No.239/A1/2021, dated 08.02.2021 & the impugned order of transfer issued by the 2nd respondent in proceedings Se.Mu.Na.Ka.No.146/Niru.4(4)/2020, dated 09.02.2021 and quash these orders and consequently direct the respondents 1 to 3 to permit the petitioner to hold the post of Typist in the office of the District Social Welfare Officer, Kanchipuram.

For Petitioner : Ms.Swadhi Subramaniam

For Respondents: Mr.J.Pothiraj,
Special Government Pleader

O R D E R

This Writ petition is filed, seeking to quash the impugned relieving order issued by the 3rd respondent in proceedings Se.Mu.Na.Ka.No.239/A1/2021, dated 08.02.2021 & the impugned

order of transfer issued by the 2nd respondent in proceedings Se.Mu.Na.Ka.No.146/Niru.4(4)/2020, dated 09.02.2021 and for a consequential direction to the respondents 1 to 3 to permit the petitioner to hold the post of Typist in the office of the District Social Welfare Officer, Kanchipuram.

2. It is the case of the petitioner, that she is working as a Typist in the office of the District Social Welfare Officer, Kanchipuram and the 3rd respondent, by an order dated 08.02.2019, relieved the petitioner from the said place and subsequently, on 09.02.2019, the 2nd respondent had issued an order of transfer to Nagapattinam District. According to the petitioner, the transfer order has been issued on the basis on certain allegations raised by the 3rd respondent and the 1st respondent is the Competent Authority to effect transfer of the petitioner. Hence, the petitioner has filed the present Writ petition with the aforesaid relief.

3. Mr.J.Pothiraj, Special Government Pleader appearing for the respondents would submit that the transfer order has been issued due to administrative reasons. That apart, a suitable person has already joined the place from where the petitioner was transferred. Hence, he prays for dismissal of the Writ petition.

4. A reading of the impugned order shows that it is an administrative transfer and that another person has also joined. Administrative reason cannot be interfered with unless it smacks of victimization or is hit by malafides. Hence, this Writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar

vum

To

1.The Secretary to Government,
Social Welfare and Nutritious Meal
Programme Department,
Fort St. George, Chennai 600 009.

2. The Commissioner of Social Welfare Department,
Panagal Building,
Saidapet, Chennai - 15.

3. The District Social Welfare Officer,
Kanchipuram District,
Kanchipuram.

+1cc to Mr.R.Premnarayan, Advocate SR.No.12315

+1cc to Government Pleader SR.No.13192

W.P.No.4055 of 2021 and
W.M.P. Nos.4624 & 4625 of 2021

LN (CO)
GMY (03/05/2021)



WEB COPY