



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

W.P(MD)No.170 of 2021

and

W.M.P(MD)Nos.139, 140 &1710 of 2021

K.Sathiyamoorthy

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District.

2.The Assistant Director of Town Panchayats,
Madurai Region, Madurai.

3.Mamsapuram Town Panchayat,
Rep. by its Executive Officer,
Mamsapuram - 626 110.

4.Watrap Town Panchayat,
Represented by its Executive Officer,
Watrap - 626 132.

5.Mr.S.Sethuraman
The Assistant Director of Town Panchayats,
Madurai Region, Madurai.

6.Mr.M.Syed Ibrahim
The Executive Officer,
Mamsapuram Town Panchayat,
Mamsapuram - 626110.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned order of transfer passed by the first respondent in Na.ka No.15073/2020/Pe2 dated 28.12.2020, quash the same and pass orders.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.S.Shanmugavel,
Standing Counsel for State
for R1 to R4,
for R6 - No Appearance.



ORDER

This petition is filed for the issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order of transfer passed by the first respondent in Na.ka No.15073/2020/Pe2 dated 28.12.2020, quash the same.

2. According to the petitioner, he has joined in the transferred place without prejudice to his rights and thereafter he has made a representation dated 08.01.2021 to the respondents to consider the impugned order of transfer passed by the first respondent in Na.ka No.15073/2020/Pe2 dated 28.12.2020. The said representation is still pending and no orders have been passed.

3. The learned counsel for petitioner submitted before this Court that it would be suffice to direct the first respondent to consider the petitioner's representation dated 08.01.2021 and pass appropriate orders.

4. The learned Standing counsel for the respondents submitted that the transfer was made only on administrative grounds and District Collector, first respondent is the competent authority to pass orders.

5. In view of the above submissions made by the counsel for the parties concerned, this court is inclined to direct the first respondent to consider the petitioner's representation dated 08.01.2021 and pass orders on its own merits and in accordance with law as expeditiously as possible within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,
Virudhunagar District.

2.The Assistant Director of Town Panchayats,
Madurai Region, Madurai.

3.The Executive Officer,
Mamsapuram Town Panchayat,
Mamsapuram - 626 110.

4. The Executive Officer,
Watrap Town Panchayat,
Watrap - 626 132.

+1 CC to M/s.A.RAHUL, Advocate (SR-30941[F] dated 01/10/2021)

+1 CC to M/s.SPL.GP (SR-30849[F] dated 01/10/2021)

**W.P(MD)No.170 of 2021
and**

**W.M.P(MD)Nos.139, 140 &1710 of 2021
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RD/PM(29.10.2021) 3P 7C