



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

**W.P. (MD) .No.4795 of 2021
and W.M.P. (MD) .Nos.3921 & 3922 of 2021**

Ponnupandi

... Petitioner

Vs.

1.The District Adi Dravidar and Tribal Welfare Officer,
Thoothukudi.

2.The Special Tahsildar,
District Adi Dravidar and Tribal Welfare Department,
Kovilpatti,
Thoothukudi District.

3.Anthony Raj.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari, by calling for the entire records pertaining to the impugned order of transfer passed by the 1st respondent in ந.க.உ.நி/22096/2020, dated 22.02.2021, and quash the same insofar as the 3rd respondent is concerned.

For Petitioner	: Mr.R.Anand
For Respondents	: Mrs.VPM.Vaishnavi
1&2	Government Advocate

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate, appearing for the respondents.

2.The petitioner herein is aggrieved against the transfer order of the third respondent, to the Government Adi Dravidar Welfare Boys Hostel, Pudur. The petitioner herein is also employee in the same Hostel as warden. It is not stated as to how the petitioner would be affected, if the 3rd respondent is transferred to the present place.

3.If the petitioner is not conducive with the transfer order of the third respondent, the option available to him would be to represent before the authorities and the present writ petition seeking to cancel the transfer order of a third party may not be



sustainable, since the petitioner will have no locus to the same.

4.It is settled proposition that to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India for issuance of writ of Mandamus, the aggrieved party is required to approach the concerned statutory authorities to redress his grievance and only in cases, where the request is either rejected or kept pending in-definitely, the person would be entitled to file a writ petition of this nature. Admittedly, the petitioner herein had not made any representation to the statutory authorities, after the impugned transfer order, dated 22.02.2021. On this ground also, the petitioner may not have any locus to file this writ petition.

5.Hence, the writ petition stands dismissed. However, if the petitioner is still of the view that the impugned transfer order may not be sustainable, it is open to him to approach the concerned authorities and make a representation, ventilating his grievance and on receipt of such representation, the concerned statutory authority shall consider it on its own merits. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/
Assistant Registrar()

/True copy/

/ /2021
Sub Assistant Registrar(CS-)

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 Adi Dravidar and Tribal Welfare Officer,
Thoothukudi.

2.The Special Tahsildar,
District Adi Dravidar and Tribal Welfare Department,
Kovilpatti, Thoothukudi District.

+1 CC to THE GOVERNMENT ADVOCATE SR-10215[F] dated 10/03/2021)

W.P. (MD) .No.4795 of 2021
09.03.2021

TM
PK/31.03.2021 : 2P/4C