



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.4770 of 2021

S.P.Baskar

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Additional Chief Secretary,
Municipal Administration and Water Supply Department,
Secretariat, Chennai.

2.The Commissioner,
Madurai Corporation,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records pertaining to the order passed by the first respondent in G.O(D) No.84, Municipal Administration and Water Supply (MC4) Department, dated 24.02.2021 and consequential order passed by the second respondent in his proceedings in Ma.Ne.1/003013/2021 dated 26.02.2021 and quash the same.

For Petitioner	: Mr.V.Panneer Selvam
For R-1	: Mr.S.Dhayalan
	Government Advocate
For R-2	: Mr.R.Sethuraman

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner herein has challenged the transfer order dated 24.02.2021, whereby he was transferred from Madurai to Tiruneveli Corporation. The petitioner herein, who holds the post of Driver, is subjected to the criminal proceedings in Cr.No.10/AC/2020/MU, under Section 7 of Prevention of Corruption Act,1988. The impugned order states that since the petitioner is a suspect, it would be appropriate to transfer him for the purpose of preventing from tampering the documents and influence the witnesses.

3.The learned counsel for the petitioner only made a sympathetic ground that the respondent may consider the petitioner to be transferred any other place, which is closure to Madurai



instead of Thirunelveli.

4.This Court is not inclined to direct the respondents for such consideration. The criminal proceedings, which are initiated against the petitioner herein, seems to be serious in nature involving corruption charges. When the respondents are of the view that the petitioner requires to be transferred to Thirunelveli, thereby avoid any chance of tempering of documents and witness, this Court would not be justified in directing them to re-consider the place of transfer. As such, there are no merits in the writ petition.

5.Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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

The Additional Chief Secretary,
State of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat,
Chennai.

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-9234[F] dated 05/03/2021)

+1 CC to M/s.SPL GP (SR-9485[F] dated 08/03/2021)

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