



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P(MD)No.5701 of 2020

Bhagurudeen

...Petitioner

Vs.

1.The Additional Chief Secretary cum
Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

2.The District Collector,
District Collector Office,
Thanjavur,
Thanjavur District.

3.The District Collector,
District Collector Office,
Madurai,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the first respondent vide office proceedings in Kaditha En.5(4)/33419/2019, dated 03.02.2020 and quash the same as illegal and consequently direct the respondent Nos.1 to 3 to transfer the petitioner from the Palamputhur Village Administrative Office, Orathanadu Taluk in Thanjavur District to any other Village Administrative Office in Madurai District within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.V.P.M.Vaishnavi,
Government Advocate

O R D E R

The petitioner herein is the Village Administrative Officer of Palamputhur Village, Orathanadu Taluk, Thanjavur District. By quoting that he has an infant child, who is taken care of by his wife alone and since he finds it difficult for him to support her, he had sought for transfer to Madurai district and such a request came to be rejected through impugned order dated 03.02.2020.

2.The reason assigned in the impugned order of rejection of the petitioner's claim is that as on 03.02.2020 there was no vacancy in Madurai district for the post of Village Administrative Officer. Though the petitioner herein cannot claim transfer as a matter of right, the circumstances under which, the petitioner claims



transfer, seem to be reasonable and therefore, a sympathetic approach could be taken by the respondents, subject to the available vacancies. Since the respondents were of the view that there was no vacancy in Madurai district as on 03.02.2020, the petitioner's request was rejected. In this background, if liberty is now granted to the petitioner to approach the first respondent herein, seeking for transfer, the ends of justice could be secured.

3.In the light of the above observations, the petitioner is permitted to make appropriate application to the first respondent seeking for transfer to Madurai district or any of its surrounding districts and on receipt of the same, the first respondent herein shall consider it on its own merits and pass appropriate orders as expeditiously as possible. However, it is made clear that this Court has not expressed its any views with regard to the petitioner's entitlement for the transfer and that it will be the sole discretion of the first respondent to arrive at such a conclusion.

4.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To

1.The Additional Chief Secretary cum
Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai.

2.The District Collector,
District Collector Office,
Thanjavur,
Thanjavur District.

3.The District Collector,
District Collector Office,
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Madurai District.

+1 CC to M/s.SPL GP (SR-10222[F] dated 10/03/2021)

W.P(MD)No.5701 of 2020

08.03.2021

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