



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **14.09.2021**
CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
W.P(MD)No.16516 of 2021
and W.M.P. (MD)No.13401 of 2021

WEB COPY

R.King

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By the Additional Chief Secretary
to the Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai - 9.

2.The Director General Police / Director
General of Prisons,
Whannels Road, Egmore,
Chennai - 600 008.

3.The District Collector,
Madurai.

4.The Superintendent of Prison,
Madurai Central Prison,
Madurai.

5.The Probation Officer,
Tamil Nadu Prison and Correctional
Services Department,
Usilampatti,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 to 4 to pass necessary orders to transfer the petitioner from the present post of 'Scavenger' in the Usilampatti Sub Jail to the post of 'Office Assistant' in the 5th respondent office by considering the petitioner's representation dated 03.07.2021.

For Petitioner : Mr.N.Karthik Kanna

For Respondents : Mr.S.Shanmugavel,
Standing Counsel for Govt.



ORDER

Mr.S.Shanmugavel, learned Standing Counsel for Government takes notice on behalf of the respondents.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he is working as Scavenger in Usilampatti Sub Jail and his brother and sister are mentally retarded persons. The grievance of the petitioner is that since he is working as Scavenger in the Sub Jail, he has duty bounded to attend the workplace by 6.00 a.m., and therefore, he could not take care of his brother and sister. Hence, the petitioner made a representation dated 03.07.2021, to the second respondent seeking to transfer to the post of 'Office Assistant' in the office of the fifth respondent. Since the same was not considered, the petitioner has come before this Court.

4. Considering the facts and circumstances of the case, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the representation of the petitioner dated 03.07.2021, on tis own merits and pass orders in accordance with law, as expeditiously as possible, preferably within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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 Additional Chief Secretary
to the Government,
State of Tamil Nadu,
Home, Prohibition & Excise Department,
Secretariat, Chennai - 9.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Director General Police / Director
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3.The District Collector,
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Madurai.

5.The Probation Officer,
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Services Department,
Usilamapatti,
Madurai District.

+1 CC to M/s.SPL. GP (SR-29110[F] dated 15/09/2021)

W.P (MD) No.16516 of 2021
14.09.2021

RK (29.09.2021) 3P 7C