



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P (MD)No.8585 of 2018

and

W.M.P (MD)No.8070 of 2018

WEB COPY

Sarala

..Petitioner

Vs.

The State Rep. by

1.The Director,

Adi Dravidar and Tribal Welfare Department,

Ezhilagam,

Chennai - 5.

2.The Adi Dravidar and Tribal Welfare Officer,

Office of The Adi Dravidar and Tribal Welfare Officer,

Virudhunagar District.

3.Pandiammal

.. Respondents

(3rd respondent impleaded vide Court Order Dated 17.02.2020 in W.M.P. (MD).No.2653 of 2020)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd Respondent vide his proceeding in Na.Ka.T2/28342/2017, dated 06.04.2018 and quash the same as illegal and consequently directing the 2nd respondent to allow the Petitioner to continue his work in Adi Dravidar and Tribal Welfare Hostel, Sivakasi, based on his representation dated 16.04.2018.

For Petitioner : Mr.S.Sankar

For Respondents : Mr.A.Muthukaruppan,

1 & 2

Additional Government Pleader

O R D E R

Heard Mr.S.Sankar, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents.

2.The order of transfer dated 06.04.2018, issued to the petitioner is put under challenge in the present writ petition. Pending writ petition, the petitioner was permitted to continue in the same post pursuant to the interim order of stay granted by this Court.

3.The learned Additional Government Pleader appearing for the respondents, on instructions, affirms that the petitioner is still



continuing in the same post. It is seen that the transfer order was passed way back on 06.04.2018 and the petitioner has been continuing in the said post for 3 years. At this length of time, it would not be appropriate to interfere with the transfer order, since the Administrative exigencies, which necessitated the petitioner to be transferred long back may not subsist as on date.

4.Nevertheless, if the respondents are of the view that the petitioner requires to be transferred in future, on administrative grounds, it would always open to them to do so.

5.Accordingly, the impugned order by the 2nd Respondent vide his proceeding in Na.Ka.T2/28342/2017, dated 06.04.2018, shall stands quashed and the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Director,
Adi Dravidar and Tribal Welfare Department,
Ezhilagam,
Chennai - 5.

2.The Adi Dravidar and Tribal Welfare Officer,
Office of The Adi Dravidar and Tribal Welfare Officer,
Virudhunagar District.

+1 CC to M/s.S.SANKAR, Advocate (SR-11714[F] dated 17/03/2021)

+1 CC to M/s.SPL GP (SR-11870[F] dated 17/03/2021)

W.P(MD)No.8585 of 2018
16.03.2021

NA(CO)
KB(30.03.2021) 2P 5C