



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.17098 of 2018

and W.M.P.(MD).Nos.15051 & 15052 of 2018

WEB COPY

K.Muthu Kani

...Petitioner

Vs.

1.The Director,
Adi Dravidar Welfare Department,
Chepauk, Chennai.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, by calling for the entire records pertaining to the order passed by the 1st respondent vide his proceedings in Na.Ka.No.91/4325/2018 dated 12.07.2018 and quash the same and consequently direct the respondents to allow the petitioner to continue with her service as a Matron at Government Adi Dravidar Welfare Girls Hostel, Thangammalpuram, Thoothukudi District as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand

For Respondents : Mr.P.Mahendran
Additional Government Pleader

O R D E R

Heard Mr.R.Anand, learned counsel for the petitioner and Mr.P.Mahendran, learned Additional Government Pleader, appearing for the respondents.

2.Through the impugned order of transfer, the petitioner herein was transferred from Government Adi Dravidar Welfare Girls Hostel, Thangammalpuram to Government Adi Dravidar Welfare Girls Hostel, Karisalkulam in Thoothukudi District. Simultaneously, one P.Valliammal was transferred from Government Adi Dravidar Welfare Girls Hostel, Karisalkulam to Government Adi Dravidar Welfare Girls Hostel, Thangammalpuram.

3.The learned Additional Government Pleader, on instructions, submitted that the said P.Valliammal has now expired and that the petitioner herein is continuing to work in her original place at

<https://hcmjcs.cemilab.com/india/cases/>



this Court earlier.

4. In view of the death of Mrs.P.Valliammal, who was required to be transferred to the petitioner's place and also by taking into account the passage of 2 ½ years, since the petitioner has been working in the same hostel, it would not be appropriate to interfere with the impugned order at this stage.

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

6. Accordingly, the impugned order passed by the 1st respondent vide his proceedings in Na.Ka.No.91/4325/2018, dated 12.07.2018, is quashed and the writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Director,

Adi Dravidar Welfare Department, Chepauk, Chennai.

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

+1 CC to M/s.GP (SR-2863[F] dated 02/02/2021)

W.P. (MD) No.17098 of 2018
01.02.2021

KG (CO)

TR(11.02.2021) 2P 4C