



W.P.No.2127 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 27.10.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.2127 of 2022

and

W.M.P.Nos.2293,2294 & 2295 of 2022

Rajapandiyan

..Petitioner

-Vs-

1. The Department of Commercial Tax,
rep. by its Secretary,
Commercial Tax Department,
St.Fort George,
Chennai.
2. The Additional Chief Secretary/
Commissioner of Commercial Taxes,
Chepauk,
Chennai - 5.
3. The Joint Commissioner(ST),
Intelligence-1,
No.1, Wallres Lane,
P.A.P.J.M.Building,
Greams Road,
Chennai - 600 006.
4. The Deputy Commissioner,
Investigation-1,
Chennai - 6.
5. The Joint Commissioner (ST),
Coimbatore Division,
Coimbatore.



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6. The Deputy Commissioner (ST),
Pollachi Office,
Pallakadu Main Road,
Pollachi - 642 001.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the passing of the transfer order dated 01.10.2021 passed by the 2nd respondent and consequential posting order dated 06.10.2021 passed by the 5th respondent and quash both the orders and consequently direct the 2nd respondent post the petitioner in 4th respondent's office or at any other suitable office at Chennai.

For Petitioners : Mr.K.Thenrajan

For Respondents : Ms.K.Vasanthamala
Government Advocate (Tax)

ORDER

This writ petition has been filed challenging the transfer order dated 01.10.2021 passed by the 2nd respondent and the consequential posting order dated 06.10.2021 passed by the 5th respondent.

2. At the outset, the learned counsel for the petitioner would submit on instruction, that even though the transfer order has been challenged, the petitioner will be satisfied if his representation dated 08.10.2021 given subsequent to the passing of the impugned order, is considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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sought for revocation of the impugned transfer order dated 01.10.2021 on the ground that he is a driver and similarly placed drivers were not transferred based on their respective representations.

4. Learned counsel for the respondents has also not raised any serious objections, if the representation of the petitioner is considered on merits and in accordance with law. The respondents have already filed their counter in this writ petition with regard to the main relief. The said counter affidavit filed by the respondents is taken on record.

5. In view of the submission made by the learned counsel for the petitioner, this Writ Petition is disposed of, by directing the 2nd respondent to consider the petitioner's representation dated 08.10.2021 seeking for revocation of the transfer order dated 01.10.2021 passed by the 2nd respondent and for revocation of the consequential posting order dated 06.10.2021 passed by the 5th respondent and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

27.10.2022

Speaking/Non-speaking order

Index Yes/No

vsi



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ABDUL QUDDHOSE,J.

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