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\IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2022

CORAM

THE HON'BLE MR JUSTICE D. KRISHNAKUMAR

W.P.No.2713 of 2022 and
WMP No.2884 of 2022

G.Rajeswari

... Petitioner

Vs.

1. The Commissioner
Adi Dravidar Welfare Department
Ezhilagam Annex Building, 1st Floor
Chepauk, Chennai-600 005.
2. District Adi Dravidar and Tribal Welfare Officer
Cuddalore.
3. The Director
Adi Dravidar Welfare Department
Ezhilagam Annex Building, 1st Floor
Chepauk, Chennai-600 005.
4. The Special Tahsildar (Adi Dravidar Welfare)
Chidambaram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the impugned order in Na.Ka.001/6651/2019 (Cuddalore-13) dated 11.12.2021 on the file of the 1st respondent and quash the same by directing the 1st respondent to reinstate the petitioner in Government Adi Dravidar Welfare Boys Higher Secondary School, Chidambaram.

For Petitioner : Mr.G.Uma Maheswari

For Respondents : Mr.A.M.Ayyadurai
Government Advocate

ORDER

This writ petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the impugned order in Na.Ka.001/6651/2019 (Cuddalore-13) dated 11.12.2021 on the file of the 1st respondent and quash the same by directing the 1st respondent to reinstate the petitioner in Government Adi



Dravidar Welfare Boys Higher Secondary School, Chidambaram.

2. The case of the petitioner in brief:

The petitioner is a B.T. Assistant and she is working in Government Adi Dravidar Welfare Boys Hr. Sec. School, Chidambaram and she is suffering from kidney disease and other related ailments. On 11.12.2021, the first respondent issued transfer order, transferring the petitioner from Government Adi Dravidar Welfare Boys Hr. Sec. School, Chidambaram to Government Adhi Dravidar, Welfare Middle School, Mugaiyur, Cuddalre, which is 22 kilometres away from the present school. The petitioner has to travel in bus for one hour from her home to reach the bus stand and the said school is two kilometre away from the bus stand and there is no bus or transport facility to reach the school. Hence, it is very difficult for her to walk 4 kilometres daily, due to kidney disease and other related ailments. The petitioner gave representation on 13.01.2022 and the fourth respondent has recommended the second respondent to consider the same. But it was not answered. Hence this writ petition.

3. Though this writ petition is filed to quash the impugned transfer order dated 11.12.2021, the learned counsel appearing for the petitioner submitted that suitable direction may be issued to the authorities concerned to consider the representation of the petitioner.

4. The learned Government Advocate appearing for the respondents submitted that the representation of the petitioner will be considered by the second respondent and appropriate orders will be passed, within the time limit, as specified by this court.

5. In view of the above submissions and also considering the facts and circumstances of this case, without expressing any opinion on merits, this court is inclined to pass orders.

6. Accordingly, it is ordered as follows.

i) The second respondent is directed to consider the representation of the petitioner dated 13.01.2022 on its own merits, in accordance with law, as early as possible, within a period of six weeks from the date of receipt of a copy of this order.

ii) The petitioner shall submit the copy of the proceedings dated 13.01.2022 forwarded by the fourth respondent, along with the copy of this order, before the second respondent for consideration.



7. With the above direction, this writ petition is disposed of. Consequently, connected writ miscellaneous petition is closed. No costs.

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Sd/-
Deputy Registrar (CS)

//True copy//

Sub Assistant Registrar

mst

To

1. The Commissioner
Adi Dravidar Welfare Department
Ezhilagam Annex Building, 1st Floor
Chepauk, Chennai-600 005.
2. District Adi Dravidar and Tribal Welfare Officer
Cuddalore.
3. The Director
Adi Dravidar Welfare Department
Ezhilagam Annex Building, 1st Floor
Chepauk, Chennai-600 005.
4. The Special Tahsildar (Adi Dravidar Welfare)
Chidambaram.

+1cc to M/s.G.Uma Maheswari, Advocate SR.No.9442

+1cc to Government Pleader SR.No.10266

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MG (CO)
GMY (22/02/2022)