



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.10501 OF 2022

AND

WMP NOS.10189, 10191 OF 2022

S.Sundarapandian

... Petitioner

Vs.

1. The Director General of Police,
Armed Forces,
I/c the Deputy Director General of Police,
Armed Forces, Chennai-10.
2. The Deputy Director General of Police,
Armed Forces, Chennai-10.
3. The Comandant, TSP VIII Battalion,
New Delhi-64.
4. The Deputy Commandant,
TSP VIII Battalion, New Delhi-64.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent in his proceedings in C.No.A1/732/ 2022, B.O.No.213/2022 dated 13.04.2022 and quash the same.

For Petitioner : Mr.L.G.Sahadevan
for A.Ilaya Perumal

For R1 and R2 : Mrs.S.Anitha
Special Government Pleader

ORDER

This writ petition has been filed seeking to issue a Writ of Certiorarified Mandamus, quashing the impugned transfer proceedings dated 13.04.2022 issued by the third respondent.



2. According to the petitioner, he is working as Inspector of Police (G) in Thihar Prison, under the office of the TSP VIII Battalion, New Delhi from June 2020. The petitioner already gave representation to transfer him to the place of Avadi, in which he is residing. But, the third respondent issued the impugned transfer order dated 13.04.2022, transferring the petitioner to TSP XIV Battalion, Palani on administrative grounds. It is the contention of the petitioner that he is having only 2 1/2 years service to retire on superannuation and in the fag end of his service, the impugned transfer order is passed only on the punitive nature and vindictive manner.

3. The learned counsel appearing for the petitioner submitted that the petitioner has given representation dated 18.04.2022 to the respondents seeking transfer to TSP II Battalion, Avadi, Chennai. Hence, the respondents may be directed to consider the representation and to pass appropriate orders.

4. The learned Special Government Pleader submitted that the representation of the petitioner dated 18.04.2022 will be considered by the authorities concerned and appropriate orders will be passed on its own merits and in accordance with law.

5. In view of the above submission and also considering the facts and circumstances of the case, without expressing any opinion on merits, the following order is passed.

i) The second respondent is directed to consider the representation of the petitioner dated 18.04.2022 and to pass orders on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

ii) The petitioner is directed to furnish the copy of the representation along with this order before the second respondent.

6. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected writ miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

mst



To

1. The Director General of Police,
Armed Forces,
I/c the Deputy Director General of Police,
Armed Forces, Chennai-10.

2. The Deputy Director General of Police,
Armed Forces, Chennai-10.

3. The Comandant, TSP VIII Battalion,
New Delhi-64.

4. The Deputy Commandant,
TSP VIII Battalion, New Delhi-64.

+1cc to M/s.A.Ilaya Perumal, Advocate, S.R.No.28045

+1cc to the Government Pleader, S.R.No.28666

W.P.No.10501 of 2022

SMI (CO)
RLP (26/04/2022)