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W.P.No.15529 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.15529 of 2022
and WMP Nos.14701 and 14704 of 2022

D.V.Krishnamurthi

... Petitioner

Vs

1. Central Bureau of Investigation (CBI),
(Delhi Special Police Establishment),
Represented by its Administrative Officer (Admn.),
7th Floor, Plot 5-B, CGO Complex,
Lodhi Road, New Delhi - 110 003.

2. Central Bureau of Investigation (CBI),
Special Crimes Branch,
A Wing, III Floor, Rajaji Bhawan,
Besant Nagar, Chennai-600 090.

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records in Office Order No.127/2022 dated 09.06.2022 on the file of the second respondent and quash the same and direct the second respondent to permit the petitioner to continue the post of Constable with the second respondent herein.

For petitioner

...

Mr.S.V.Vijay Prashanth



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For Respondents ... Mr.K.Srinivasan
Special Public Prosecutor
CBI Cases

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ORDER

The petitioner has challenged the impugned transfer order dated 09.06.2022, under which, the petitioner was transferred from Chennai to Patna.

2. The petitioner is a Constable, working with the Central Bureau of Investigation and he is presently working at Chennai. Under the impugned transfer order, he has been transferred to Patna.

3. On the last hearing date, i.e., on 08.11.2022, this Court directed the learned Standing Counsel appearing for the respondents to get instructions as to whether the petitioner can be transferred to any other place from Chennai apart from Patna.

4. Today, on instructions, the learned Standing Counsel appearing for the respondents would submit that the petitioner will have to join duty at Patna based on the impugned order and on joining duty at Patna, he can give a representation to the respondents requesting for re-transfer stating his difficulties and on receipt



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of the said representation, the respondents shall consider the same on merits and in accordance with law within a time frame to be fixed by this Court. The said submission of the learned Standing Counsel appearing for the respondents, on instructions, is recorded by this Court.

5. Learned counsel for the petitioner is also satisfied with the same.

6. Accordingly, this writ petition is disposed of by directing the petitioner to join duty at Patna as per the impugned transfer order within a period of fifteen days from the date of receipt of a copy of this order and after joining duty at Patna, the petitioner is permitted to give representation to the respondents requesting them to re-transfer him back to Chennai or any other place and on receipt of the said representation, the respondents shall pass final orders on merits and in accordance with law within a period of four weeks thereafter. No costs. Consequently, connected miscellaneous petitions are closed.

22.11.2022

SR
Index:yes/no
Speaking Order/Non-Speaking Order



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ABDUL QUDDHOSE ,J.,
sr

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