

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. Nos. 16103, 16106, 16107 and 16109 of 2020
and
W.M.P.Nos. 20070, 20072, 20074, 20075, 20076,
20777, 20078, 20079 of 2020

1. P. Asaithambi ... Petitioner
in W.P. No. 16103 of 2020
2. B. Kavitha ... Petitioner
in W.P. No. 16106 of 2020
3. V. Nirmala ... Petitioner
in W.P. No. 16107 of 2020
4. A.K. Lakshmi .. Petitioner
in W.P. No. 16109 of 2020

Vs.

1. The Director,
Rural Development and Panchayat Raj Department,
Panagal Maaligai Building,
Saidapet,
Chennai.
2. The District Collector,
Vellore District.
3. The District Collector,
Tirupattur District,
Tirupattur.
4. The District Collector,
Ranipet District,
Ranipet. ... Respondents in all Wps.

Prayer in W.P. No. 16103 of 2020 : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of certiorari mandamus to call for the records on the file

of the third respondent in proceeding Na.Ka.No.PA4/4755/2020-2 dated 06.07.2020 and second respondent in proceeding Na Ka No.PA1/10734/2019 dated 15.06.2020 and quash the same in so far as the petitioner is concerned and to direct the respondents herein to retransfer the petitioner to Ranipet District.

Prayer in W.P. No. 16106 of 2020 : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of certiorarified mandamus to call for the records on the file of the third respondent in proceeding Na.Ka.No.PA4/4755/2020-2 dated 06.07.2020 and second respondent in proceeding Na Ka No.PA1/10734/2019 dated 15.06.2020 and quash the same in so far as the petitioner is concerned and to direct the respondents herein to retransfer the petitioner to Vellore District.

Prayer in W.P. No. 16107 of 2020 : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of certiorarified mandamus to call for the records on the file of the third respondent in proceeding Na.Ka.No.PA4/4755/2020-2 dated 06.07.2020 and second respondent in proceeding Na Ka No.PA1/10734/2019 dated 15.06.2020 and quash the same in so far as the petitioner is concerned and to direct the respondents herein to retransfer the petitioner to Vellore District.

Prayer in W.P. No. 16109 of 2020 : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of certiorarified mandamus to call for the records on the file of the third respondent in proceeding Na.Ka.No.PA4/4755/2020-2 dated 06.07.2020 and second respondent in proceeding Na Ka No.PA1/10734/2019 dated 15.06.2020 and quash the same in so far as the petitioner is concerned and to direct the respondents herein to retransfer the petitioner to Vellore District.

For Petitioner : Mr. M. Ravi

For Respondents : Mr. V. Jeevagiridharan
Additional Government Pleader

ORDER

These writ petitions are filed for the issuance of a writ of certiorari mandamus to call for the records on the file of the third respondent in proceeding Na.Ka.No.PA4/4755/2020-2 dated 06.07.2020 and second respondent in proceeding

Na.Ka.No.PA1/10734/2019 dated 15.06.2020 and quash the same in so far as the petitioners are concerned and to direct the respondents herein to re-transfer the petitioners to the desired places.

2. According to the writ petitioners, they are working as Union Overseer in Tirupattur District and Ranipet District. Subsequently, they submitted their option but their option was declined without assigning any reason and they were transferred to other districts against their option. Now the petitioners have filed the present writ petitions alleging that they are several vacancies in the districts where they have expressed their willingness.

3. According the petitioners several representations had been filed before the respondents seeking transfer to the parental district and the same was rejected by the respondents.

4. According the writ petitioners, they are not asking for the right to transfer them in the parental district. The allegations of the petitioners is that when there are several vacancies in the Ranipet District and Vellore District, the respondents are trying to fill up the vacancies by issuing the transfer orders to their juniors. Therefore, appropriate orders may be passed by this court directing the respondent to transfer the petitioners in the district where they have given option.

5. The learned Government Pleader appearing for the respondents filed a counter affidavit, in which it has been stated that the petitioners could not be accommodated as the vacancies were proportionate in all the three districts and while allotment to bifurcated and trifurcated district, the vacancies must be shared proportionately by both the parent and new district, so that proportionate number of staff will be physically available for the districts for effective administration. It is also stated that the petitioners are juniors in the seniority list.

6. The learned Government Pleader further submitted that as when the seniority will be reached, the request of the petitioners will be considered for transfer to the Ranipet and Vellore Districts based on the seniority. Therefore, at this stage, the writ petitions cannot be entertained and the same is liable to the dismissed.

7. By recording the aforesaid statement made by the respondents in the counter affidavit and submission made by the

Government Pleader, there is no merits in considering the said request made by the petitioners at this stage. Therefore all the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

mrn

To

1. The Director,
Rural Development and Panchayat Raj Department,
Panagal Maaligai Building,
Saidapet,
Chennai.
2. The District Collector,
Vellore District.
3. The District Collector,
Tirupattur District,
Tirupattur.
4. The District Collector,
Ranipet District,
Ranipet.

+1cc to the Government Pleader, SR.No.15050

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and

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20777, 20078, 20079 of 2020

PMK(CO)
CB(06/04/2022)