



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.3.2022

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.16419 of 2020

- 1 Prabath ... Petitioner
Vs.
1 The Director of Adi Dravidar Welfare,
Ezhilagam, Chepauk, Chennai 600005.
2 The District Adi Dravidar and Tribal Welfare,
Cuddalore, Cuddalore District. ... Respondents

Prayer : The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondent 2 to implement the transfer order dated 28.07.2017 by the second respondent and also direct the second respondent to provide the duty to the petitioner.

For Petitioner : Mr.C.B.Muralikrishnan

For Respondents : Mr.R.L.Karthika, G.A.

O R D E R

The writ petitioner is seeking direction to the second respondent to implement the transfer order dated 28.7.2017 issued by the second respondent and also to provide duty to the petitioner.

2. In the counter affidavit filed by the second respondent in paragraph 8, it is specifically stated that the petitioner is still working as Cook in Government Adi Dravidar Welfare students Hostel, Kurinjipadi, Cuddalore District. The transfer order was issued to 13 Cooks in the Cuddalore district vide Proc.No.W10/7918/2017 dated 26.7.2017 in which the petitioner name was not included. Based on the representations, considering the family circumstances, the transfer orders of the aforesaid 13 Cooks were cancelled vide letter No.TS/11076/2017, dated 10.8.2017. The petitioner's name was not found the aforesaid transfer order. One Thiru K.Madhivanan, the District Adi Dravidar Welfare Officer, Cuddalore has submitted a written statement on 5.12.2020 and 20.1.2021 to the second respondent



stating that he was the District Adi Dravidar Welfare Officer, Cuddalore from 24.11.2016 to 31.7.2017 and he did not pass any transfer order transferring the petitioner by order dated 28.7.2017.

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3. In response to the aforesaid statement, the learned counsel appearing for the petitioner has submitted that in view of the above, the respondent has framed charges against the petitioner and the enquiry is pending before the authority concerned.

4. In the light of the aforesaid facts, the aforesaid order cannot be given effect to, at this stage. However, liberty is granted to the petitioner to make representation before the respondent, once the disciplinary proceedings are concluded.

5. With the above observations, the writ petition stands disposed of. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 The Director of Adi Dravidar Welfare,
Ezhilagam, Chepauk, Chennai-5.
- 2 The District Adi Dravidar and Tribal Welfare,
Cuddalore, Cuddalore Dist.

+1cc to Mr.C.B.Muralikrishnan, Advocate, S.R.No.17828
+1cc to the Government Pleader, S.R.No.17770

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MT (CO)
CT 31/03/2022