



W.P.No.28360 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.28360 of 2022

and

W.M.P.Nos. 27668 & 27670 of 2022

R.Baskaran

... Petitioner

Vs

1. The Directorate of Collegiate Education,
DPI Campus, College Road,
Chennai - 600 006.
2. The Administrator General and
Official Trustee of Tamil Nadu,
High Court Campus,
Chennai - 600 104.
3. The Panchaiyappa's Trust,
rep. by its Secretary,
Pachaiyappa's Trust Board Office,
Pachaiyappa's College Campus,
Chennai - 600 030.
4. Pachaiyappa's College,
rep. by its Principal i/c,
Pachaiyappa's College Campus,
Chennai - 600 030.



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5. Pachaiyappa's College for Women,
rep. by its Principal i/c.
Kanchipuram - 631 501

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records and quash the order dated 13.09.2022 in Rc.No.A1/2592/2022 passed by the respondent No.3 insofar it orders transfer of the petitioner from Pachaiyappa's College, Chennai to Panchaiyappa's College for women, Kanchipuram as illegal, arbitrary, violative of natural justice and to consequently direct the respondents to continue the petitioner's service in Pachaiyappa's College, Chennai, Respondent No.4 herein, in the position he was holding prior to the issuance of the impugned proceedings together with continuity of service, monetary and other benefits.

For Petitioner ... Mr. S.Manuraj
for Mr.Vadhana Bhaskar

For Respondents ... Mr.V.Manoharan,
Additional Government Pleader for R1
Ms.Dakshayani Reddy for R3 to R5

O R D E R

This writ petition has been filed challenging the transfer order dated 13.09.2022, under which, the petitioner has been transferred from Chennai to Kancheepuram.

2. On the last hearing date, the learned counsel for the respondents



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sought time to get instructions as to whether the petitioner can be retained at Chennai, in view of the submission made by the learned counsel for the petitioner that there is a vacancy at Chennai. However, she has placed on record the instructions dated 03.11.2022, which she has received from the respondents stating that there are no vacancies in Chennai as of now.

3. After seeing the instructions, the learned counsel for the petitioner would now submit that the petitioner is willing to join duty at Kancheepuram as per the transfer order, provided the petitioner is considered for rejoining duty at Chennai as and when any vacancy arises at Chennai.

4. Learned counsel for the respondents also submits that as and when any vacancy arises at Chennai, the petitioner's case will be considered on merits.

5. After recording the rival submissions, this Writ Petition is disposed of by directing the petitioner to join duty at Kancheepuram as per the impugned transfer order on 07.11.2022 and the respondents shall facilitate the same and permit the petitioner to join duty. However, as and when any vacancy arises at Chennai, the respondents shall consider the petitioner's request for re-transfer to Chennai on merits.



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6. With the aforesaid directions, the Writ Petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

04.11.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

To

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Pachaiyappa's College Campus,
Chennai - 600 030.

ABDUL QUDDHOSE, J.

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