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W.P. No.30737 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.30737 of 2022

K. Mayandi

...Petitioner

vs.

1. The Director General (H),
Highways Department,
Integrated Chief Engineer's Office,
HRS Campus,
No.76, Sardar Patel Road,
Guindy,
Chennai - 600 025.

2. The Assistant Divisional Engineer,
Construction & Maintenance,
Highways Sub Division,
Thiruvudaimaruthur,
Thanjavur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to consider and pass orders on the petitioner's representation, dated 17.10.2022 with regard to request transfer.

For petitioner : Mr. S. Devasahayam

For respondents : Mr.S. Balamurugan,
Government Advocate



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ORDER

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By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.S. Balamurugan, learned Government Advocate accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the 1st respondent to pass final orders on the petitioner's representation dated 17.10.2022 requesting for transferring him from Tiruvidaimaruthur, Thanjavur District to Mannargudi.

4. The petitioner is working as a Superintendent in Highways Department. He is a physically challenged person and his daughter is studying at Mannargudi. He has stated that he is finding it difficult to work at Tiruvidaimaruthur, Thanjavur District, which is 65 kms away from Mannargudi. In such circumstances, he has given a representation to the 1st respondent on 17.10.2022 requesting for him to be transferred to Mannargudi. Since the representation has not been considered, till date, he has filed this writ petition.

5. The learned Government Advocate appearing for the respondents on instructions would submit that as on date, there are no vacancies at



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Mannargudi.

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6. Heard Mr.S.Devasahayam, learned counsel for the petitioner and Mr.S.Balamurugan, learned Government Advocate appearing for the respondents.

7. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law as and when there arises a vacancy at Mannargudi.

8. For the foregoing reasons, this Court directs the 1st respondent to pass final orders on the petitioner's representation dated 17.10.2022 requesting for transferring him from Tiruvidaimaruthur, Thanjavur District to Mannargudi on merits and in accordance with law, within a period of four weeks from the date when any vacancy arises at Mannargudi to accommodate the petitioner as a Superintendent there.

9. With the aforesaid directions, this writ petition stands disposed of. No costs.

18.11.2022

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

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ABDUL QUDDHOSE, J.

vsi2

To

1. The Director General (H),
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