



W.P. No.33570 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 14.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.33570 of 2022

R. Subburam

... Petitioner

VS.

1. The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
CMDA Tower II,
4th Floor,
Gandhi – Irwin Bridge Road,
Egmore,
Chennai – 600 008.

2. The General Manager (W & A),
Tamil Nadu State Marketing Corporation Ltd.,
CMDA Tower II,
4th Floor,
Gandhi – Irwin Bridge Road,
Egmore,
Chennai – 600 008.

3. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.,
No.56, Brindavan Road, Fairlands,
Salem - 636 016.



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4. The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
No.56-A, Chennai Trunk Road,
Ware Housing Corporation Complex,
Villupuram – 605 602.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the 1st and 2nd respondents to dispose of the petitioner's representation dated 15.09.2022, 27.09.2022 and 29.09.2022 on the recommendation of the 3rd respondent in his proceedings issued in Na.Ka.No.1700/2022/E, dated 15.09.2022 and consequently direct the 1st and 2nd respondents to accommodate the petitioner in Villupuram District in the vacant place.

For petitioner	: Mr.S. Ilamvaludhi
For respondents	: Mr.K.Sathish Kumar
	Standing counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 1st and 2nd respondents to pass orders on the petitioner's representations requesting for re-transferring him to Villupuram from Salem, within a time frame to be fixed by this Court.

2. The petitioner is a Junior Assistant in the respondent Corporation.



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He was earlier transferred to Salem from Villupuram on 16.11.2021. His contention is that a similarly placed employee, who was transferred from Villupuram to Cuddalore has got re-transferred back to Villupuram. He also contends that there are vacancies at Villupuram. The petitioner's family are also living only at Villupuram. In such circumstances, he has given representations to the 1st and 2nd respondents requesting them for re-transferring him back to Villupuram. Since the representations have not been considered till date, he has filed this writ petition.

3. Heard Mr.S. Ilamvaludhi, learned counsel for the petitioner and Mr.K.Sathish Kumar, learned Standing counsel for the respondents.

4. This Court is of the considered view that the petitioner will have to give a fresh representation.

5. No prejudice would be caused to the respondents, if the representation of the petitioner seeking for re-transferring him back to Villupuram is considered on merits and in accordance with law, within a short time.

6. For the foregoing reasons, this court directs the petitioner to submit a fresh representation to the 2nd respondent requesting for his re-transfer back to Villupuram from Salem on humanitarian grounds, within a



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period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the 2nd respondent is directed to pass orders on merits and in accordance with law, within a period of four weeks thereafter.

7. With the aforesaid directions, this writ petition is disposed of. No costs.

14.12.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
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Egmore,
Chennai – 600 008.

2. The General Manager (W & A),
Tamil Nadu State Marketing Corporation Ltd.,
CMDA Tower II,
4th Floor,



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Gandhi – Irwin Bridge Road,
Egmore,
Chennai – 600 008.

ABDUL QUDDHOSE, J.

vsi2

3. The Senior Regional Manager,
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