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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.35833 of 2019  
and  
W.M.P.Nos.36737 & 36738 of 2019 and  
15971 of 2020

K.Senthil Nathan

...Petitioner

-Vs-

1. The Director General  
CRPF, CGO Complex  
Lodhi Road, New Delhi-110 003.
2. The Special Director General of Police  
South Zone Head Quarters, CRPF  
Chandrankutta, Keshogiri  
Hyderabad - 500 005.
3. The Inspector General of Police  
Karnataka Kerala Sector, CRPF  
Yelahanka, Bangalore - 560 064.
4. The Deputy Inspector General of Police  
Range HQR, CRPF, Yelahanka  
Bangalore - 560064.
5. The Commandant  
77 Bn, CRPF, Special Jail Complex  
Poonamallee, Chennai 600 056.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order dated 20.12.2019 issued by the 1<sup>st</sup> respondent in proceedings No.T.IX.-6/2019 Pers-DA-3 transferring the petitioner from 77 Battalion, CRPF, Poonamallee to 245 Battalion, CRPF, Kapurthala, Punjab and quash the same insofar as the petitioner is concerned and allow him to continue in 77 Battalion, CRPF, Poonamallee till completion of his normal tenure of 3 years.

For Petitioner : Mrs.R.Meenakshi



For Respondents  
R1 to R5

: Mr.V.Ashok Kumar  
Central Government Standing Counsel

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O R D E R

The prayer sought for herein is for a Writ of Certiorarified Mandamus calling for the records pertaining to the order dated 20.12.2019 issued by the 1<sup>st</sup> respondent in proceedings No.T.IX.-6/2019 Pers-DA-3 transferring the petitioner from 77 Battalion, CRPF, Poonamallee to 245 Battalion, CRPF, Kapurthala, Punjab and quash the same insofar as the petitioner is concerned and allow him to continue in 77 Battalion, CRPF, Poonamallee till completion of his normal tenure of 3 years.

2. The impugned order dated 20.12.2019 is nothing but a transfer order among others to the petitioner also from 77<sup>th</sup> Battalion of CRPF to 245<sup>th</sup> Battalion. The said order since was questioned in this writ petition, an interim order of stay was granted and all along the petitioner was enjoying the stay.

3. Now when the case is taken up for final hearing, the learned counsel for the respondents has submitted that, during the pendency of the writ petition, it was decided to cancel the said transfer order, which is impugned herein and to retain the petitioner at 77<sup>th</sup> Battalion itself till his superannuation, which he reached on 30.04.2022.

4. In support of his contention, he has produced the proceedings issued by the respondents dated 15.03.2022, which reads among other things thus,

" The request of the petitioner is completely fulfilled as his transfer order to 245 Bn was cancelled by the competent authority. The petitioner will retained in 77 Bn till his superannuation ie., upto 30.04.2022, the subject writ petition becomes infructuous. Hence, request list the case for early hearing and get the case closed by apprising above facts before this Hon'ble Court."

5. In view of the above stand taken by the respondents, where the impugned transfer order has been cancelled by the respondents themselves and the petitioner was retained in the place from where he was originally transferred ie., 77<sup>th</sup> Battalion till his superannuation and he also superannuated on 30.04.2022, the prayer sought for in this writ petition, as has been rightly pointed out by the learned Standing Counsel for the



respondents, has virtually become infructuous. In view of the same, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

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Sd/-  
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

KST

To

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W.P.No. 35833 of 2019

SKM(CO)  
UMA(23/06/2022)