



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.3051 of 2022

WEB COPY

The President
Porunthalur Village Panchayat,
Thogaimalai Panchayat Union,
Kulithalai Taluk,
Karur District.

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Assistant Director (Village Panchayats),
Office of the District Collector,
Karur.

3.The Block Development Officer,
Thogaimalai Panchayat Union,
Thogaimalai, Kulithalai Taluk,
Karur District.

4.Ravichandran,
Secretary,
Porunthalur Village Panchayat,
Thogaimalai Panchayat Union,
Thogaimalai, Kulithalai Taluk,
Karur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to transfer the 4th respondent to any other place and appoint a new person as Secretary of Porunthalur Village Panchayat based on the petitioner's representations dated 14.03.2020, 05.10.2020 and 23.06.2021 given to the 1st respondent and to the 3rd respondent.

For Petitioner : Mr.T.M.Madasamy

For R1 & R2 : Mr.D.Sadiq Raja
Additional Government Pleader

For R3 : Mr.P.Thambidurai

O R D E R

The relief sought for in the present Writ Petition is to direct the 1st respondent to transfer the 4th respondent to any other place and appoint a new person as Secretary of Porunthalur Village Panchayat, based on the petitioner's representations, dated 14.03.2020, 05.10.2020 and 23.06.2021 given to the 1st Respondent and to the 3rd Respondent.

2. The President, Porunthalur Village Panchayat, is the petitioner in the writ petition. The grievance of the writ petitioner is that the 4th respondent, who is working as Secretary of the Village Panchayat, is committing various irregularities and further creating issues in the Village Panchayat administration. The petitioner submitted a representation to transfer the 4th respondent. To transfer the Secretary of Village Panchayat, the decision is to be taken administratively by the competent authorities. Non-consideration of the representation submitted by the writ petitioner would not provide any cause for filing the writ petition. High Court cannot interfere with the day-to-day administration, more specifically, in the matter of administrative transfers. It is for the competent authorities to take a decision whether to transfer an employee or not. The Court cannot direct the Authorities to take an administrative decision in a particular manner and in such circumstances, the Writ Petition itself is not entertainable.

3. In the present case, already disciplinary proceedings are initiated against the 4th respondent and if necessary, the competent authority has to take a decision to place the employee under suspension or otherwise. However, the High Court cannot issue any direction either to transfer or to initiate further action, which is to be done by taking an administrative decision and by following the rules in force.

4. In view of the facts and circumstances, the petitioner is at liberty to pursue the authorities for appropriate remedy and the writ petition cannot be entertained. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Deputy Registrar (Accounts)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MPK



To

1.The District Collector,
Karur District,
Karur.

2.The Assistant Director (Village Panchayats),
Office of the District Collector,
Karur.

3.The Block Development Officer,
Thogaimalai Panchayat Union,
Thogaimalai, Kulithalai Taluk,
Karur District.

+1 CC to M/s.T.M.MADASAMY, Advocate (SR-6665[F] dated 17/02/2022)

+1 CC to M/s.SPL GP (SR-6775[F] dated 17/02/2022)

W.P. (MD) No.3051 of 2022
16.02.2022

MGJ(05.03.2022) 3P 6C