BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.03.2022
CORAM:
THE HONOURABLE MR.JUSTICE PARESH UPADHYAY
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.A(MD)No. 214 of 2022
and C.M.P.(MD) No. 2042 of 2022

A.Muthupandi .. Appellant/Petitoner

Vs

The Joint Commissioner,
Commercial Taxes (State Taxes),
Madurai Division, Commercial Taxes Buildings,
Dr.Thangaraj Salai,
Madurai - 20. .. Respondent/Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 10.12.2021 made in W.P.(MD) No. 21932 of 2021.

Prayer in WP(MD). 21932/ 2021 :
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court.To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the respondent herein in Sea.Mu.Na.Ka.No. 10490/2021/A1 dated 29.11.2021 quash the same as illegal and consequently direct the respondent to pass on order to petitioner in the same working place within a time frame that may be stipulated by this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Appellant : Mr.T.Lajapathi Roy

For Respondent : Mr.Veera Kathiravan,
Additional Advocate General
Assisted by
Mr.P.Subbaraj,
Special Government Pleader

JUDGMENT
[Delivered by PARESH UPADHYAY, J.]

Challenge in this appeal is made to the order dated 10 December 2021 recorded on W.P.(MD) No. 21932 of 2021. This appeal is by the writ petitioner.

2. Before the matter is taken up for hearing, attention of the Court is invited to the order dated 10 March 2022 of this appeal.

3. Learned Additional Advocate General has submitted that, keeping in view the spirit of the order dated 10 March 2022, on 12 March 2022, fresh transfer order simpliciter is passed. The grievance of the writ petitioner / appellant stands redressed, so far the allegations against him are concerned. A question may crop up, with regard to the writ petitioner not on duty at either of the two place. It is indicated on behalf of the writ petitioner that, the period from 29.11.2021 to 12.03.2022 may be treated as leave available to the petitioner. It is submitted that, he will submit an application to that effect and the same may be considered by the State Authorities in accordance with law. No further order needs to be passed so far this appeal is concerned.

4. So far initiation of departmental enquiry (if any) is concerned, we note that the same was not the subject-matter of writ petition, nor can be said to be the subject-matter of this writ appeal.

5. In view of above, this appeal stands disposed of. No costs. Consequently, connected miscellaneous petition would not survive.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssm

To

The Joint Commissioner,
Commercial Taxes (State Taxes),
Madurai Division, Commercial Taxes Buildings,
Dr.Thangaraj Salai,
Madurai - 20.

+2 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-12080[F] dated 15/03/2022)

+1 CC to M/s.SPL GP (SR-12137[F] dated 15/03/2022 SR-12487[F] dated 16/03/2022)

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14.03.2022

MCI(23.03.2022) 2P 5C