



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

WEB COPY

W.A.(MD) Nos.303 and 304 of 2022
and C.M.P. (MD) Nos.2920 and 2921 of 2022

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| 1. R.Suji | ... Appellant/Petitioner
in W.A.(MD) No.303/2022 |
| 2. S.Rama Prabhu | ... Appellant/Petitioner
in W.A.(MD) No. 304/2022 |

Vs.

- | | |
|--|---|
| 1. The Deputy Inspector General (Establishment),
Directorate General ITB Police,
Block - 2, CGO Complex,
Lodhi Road, New Delhi. | |
| 2. The Commandant,
45 th BN, ITB Police,
Idayapatti Camp, South Amoor (Post),
Madurai - 625 110. | ... Respondents/Respondents
in both Writ Appeals |

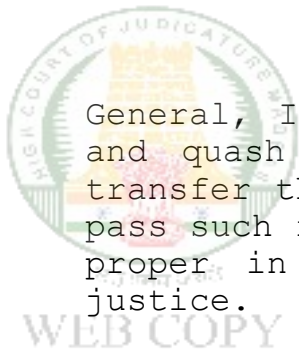
Writ Appeals filed under Clause 15 of Letters Patent, against the common order dated 01.02.2022, made in W.P.(MD) Nos.8546 and 8549 of 2021.

Prayer in WP(MD). 8546/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-3. To issue a Writ or Order or Direction or in the nature of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned transfer order in No.I-47011/19/2021 Establishment-9288-350 Directorate General, ITB Police, passed by the 1st respondent dated 01.04.2021 and quash the same and further directing the 1st respondent to transfer the petitioner to Soft Areas (SA) duly giving 5 choice and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.

Prayer in WP(MD). 8549/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-3. To issue a Writ or Order or Direction or in the nature of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned transfer order in No.I-47012/03/2021 Estt.-9751-99 Directorate



General, ITB Police, passed by the 1st respondent dated 08.04.2021 and quash the same and further directing the 2nd respondent to transfer the petitioner to Soft Areas (SA) duly giving 5 choice and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.

For Appellant in both : Mr.Balakrishnan
Writ Appeals

COMMON JUDGEMENT

(Delivered by PARESH UPADHYAY, J.)

Challenge in these appeals is made to the common order dated 01 February 2022 recorded on W.P(MD) Nos.8546 and 8549 of 2021. These appeals are by unsuccessful writ petitioners.

2. The appellants / petitioners are members of paramilitary forces.

3. Learned Single Judge has declined to exercise his discretion under Article 226 of the Constitution of India.

4. According to us, in the facts of the case, it would not be proper to ask the respondent authorities about their parameters for transfer and posting of these petitioners. The dismissal of writ petitions need not be interfered with.

5. These writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions would not survive.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Deputy Inspector General (Establishment),
Directorate General ITB Police,
Block - 2, CGO Complex,
Lodhi Road, New Delhi.



2. The Commandant,
45th BN, ITB Police,
Idayapatti Camp, South Amoor (Post),
Madurai - 625 110.

+1 CC to M/s.R.BALAKRISHNAN, Advocate (SR-16003
[F] dated 01/04/2022)

W.A. (MD) Nos.303 and 304 of 2022
31.03.2022

NSN(CO)
KB(07.04.2022) 3P 4C