



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.01.2022
CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.10829 of 2021

and W.M.P. (MD)Nos.8469, 8470 and 8471 of 2021

WEB COPY

M.Kathiresan

... Petitioner

versus

1. The Commissioner,
Department of Municipal Administration,
Fort St. George,
Chennai.

2. The Commissioner,
Usilampatti Municipality,
Usilampatti,
Madurai.

3. Suguna,
Tap Inspector,
Usilampatti Municipality,
Usilampatti, Madurai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Certiorarified Mandamus with a prayer to call for the records pertaining to the impugned order of the second respondent in AA No.2/2021/C1 dated 18.05.2021 and quash the same and subsequently, direct the second respondent to allocate the work as a Tap Fitter as per the Municipal Rules prescribed by the Commissioner and Municipal rules.

For Petitioner	:	No appearance
For R1 and R2	:	Mr.K.Mahendran
For R3	:	Mr.V.Panneerselvam

ORDER

This writ petition is filed as against the order of transfer dated 18.05.2021 passed by the second respondent, in and by which, the petitioner was transferred from one section to another section in the same office.

2. On earlier occasion, when the matter was taken up for hearing, Mr.K.Mahendran, learned counsel appearing for the first and second respondents submitted that it is only an inter-transfer in the same office and therefore, the order of transfer will not in any way affect the petitioner.



3. Mr.S.Ramasundarvijayaraj, learned counsel appearing for the petitioner sought a short accommodation to substantiate his case and requested for adjournment.

4. At the request of the learned counsel for the petitioner, the case was posted to 05.10.2021. On 05.10.2021, when the matter was taken up for hearing, Mr.S.Ramasundarvijayaraj, learned counsel appearing for the petitioner has filed a memo before this Court stating that he has given change of vakalat. Therefore, this Court ordered notice to the petitioner and posted the writ petition to 23.12.2021. When the matter was taken up for hearing on 23.12.2021, there was no representation for the petitioner and this Court directed the Registry to list the matter today under the caption "For Dismissal". Even today, there is no representation for the petitioner.

5. The impugned order of transfer is only from one section to another section in the same office and therefore, the impugned order of transfer will not in any way affect the petitioner. Apart from that, though the writ petition is listed under the caption for dismissal, there is no representation for the petitioner. Therefore, the writ petition is dismissed on merits and on the ground of non prosecution. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Cs-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Commissioner,
Department of Municipal Administration,
Fort St. George,
Chennai.

2. The Commissioner,
Usilampatti Municipality,
Usilampatti,

<https://hcservices.madras.gov.in/hcservices/>



+1 CC to M/s.K.MAHENDRAN, Advocate (SR-243[F] dated 04/01/2022)

W.P (MD) No.10829 of 2021
04.01.2022

WPN COPY

NSN (CO)

KB (24.01.2022) 3P 4C