



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 01.06.2022

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P. (MD) No.10790 of 2022

and

W.M.P. (MD) No.7773 of 2022

WEB COPY

Chandrasekaran,

... Petitioner

Vs.

1. The Principal Chief
Conservator of Forests,
(Head of Forest Force),
Panagal Maligai, Saidapet,
Chennai - 15.
2. The Conservator of Forests
and Field Director,
SMTR, Madurai.
3. The Conservator of Forests
and Field Director,
ATR, Coimbatore.
4. The District Forest Officer,
Theni Division,
Theni.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order of transfer passed by the fourth respondent in Na.Ka.No.5644/2022/P2, dated 27.05.2022, as per the proceedings of the first respondent, in Ref.No.AB1/391/2020-11, dated 24.05.2022, quash the same as illegal and consequently, direct the fourth respondent to allow the petitioner to complete his service until the superannuation in the present place of working i.e., in Mayildumparai VSC Range.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.C.Satheesh
Government Advocate

**ORDER**

The writ petitioner herein challenges his transfer as Forester from one Division to another Division on the ground that he has hardly 10 months of service left for his superannuation and such transfer is contrary to the guidelines issued by the Government, which mandates inter division transfer only if the incumbent has put more than six years of service in one Division.

2. According to the writ petitioner, in the year 2018, from Madurai Division, he was transferred to Theni Division and working in Theni Division for the past four years. While hardly 10 months of service left, he has been suddenly transferred to Coimbatore Division. Considering his health condition and violation of the guidelines, the transfer order has to be quashed.

3. Mr.C.Satheesh, learned Government Advocate appearing for the respondents would submit that on completion of four years of service, the petitioner has been transferred to ATR, Coimbatore, as Forester in view of the administrative exigency. Pursuant to the transfer order, the new incumbent has taken charge from the petitioner herein on 31.05.2022 and the petitioner was relieved from the said post.

4. Considering the aforesaid facts, this Court holds that nothing survives in the present Writ Petition after the petitioner being relieved and the new incumbent taking charge in the said post. Hence, this Writ Petition is disposed of with the following directions:-

(i) The petitioner herein shall make a fresh representation for re-transfer to Theni Division from Coimbatore Division.

(ii) On receipt of such representation, subject to the administrative exigencies, the first respondent herein shall consider the representation and pass appropriate orders within a period of six weeks from the receipt of the representation.

No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Vacation Officer

// True Copy //

/ /2022
Sub Assistant Registrar(CS)



To

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(Head of Forest Force),
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Chennai - 15.

2. The Conservator of Forests
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3. The Conservator of Forests
and Field Director,
ATR, Coimbatore.

4. The District Forest Officer,
Theni Division,
Theni.

+1 CC to M/s.P.M. VISHNUVARTHANAN, Advocate
(SR-24227[F] dated 01/06/2022)

+1 CC to M/s.SPL.GOVERNMENT PLEADER
(SR-24257[F] dated 02/06/2022)

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and
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SP/08/06/2022/3P/7C