



W.A(MD)No.561 of 2022

Thiruvarunkulam Block,
Pudukkottai District.

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7.The Director of Vigilance and Anti-Corruption,
Directorate of Vigilance and Anti-Corruption,
Collectors Nagar,
Alandur,
Chennai – 600 016.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order dated 27.04.2022 in W.P(MD)No.2019 of 2022 and allow the Writ Appeal.

For Appellant : Mr.T.Lajapathi Roy

For Respondents 1 to 5 : Mr.S.Saji Bino
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by S.S.SUNDAR,J.)

Challenging the order of learned Single Judge dated 27.04.2022, made in W.P.(MD) No.2019 of 2022, the petitioner in the writ petition has preferred the above appeal.

2. Heard Mr.T.Lajapathi Roy, learned counsel appearing for the appellant and Mr.S.Saji Bino, learned Special Government Pleader, appearing for the respondents 1 to 5.

3. In the writ petition in W.P.(MD) No.2019 of 2022, the appellant challenges the order of transfer, mainly on the ground that the



order of transfer is not an administrative transfer and therefore, the order without giving him an opportunity as regards the complaint against him is in violation of principles of natural justice.

4. This Court after going through the order found that there is a reference to a complaint. Though it is technical objection, learned counsel for the petitioner submitted that the reference to complaint against the petitioner clearly indicates that the order is stigmatic and hence, the transfer impugned in the writ petition is liable to be set aside.

5. After going through the facts, we find that it is an administrative transfer and the writ petition is not maintainable. However, having regard to the admitted facts, this Court requested learned Special Government Pleader to get instruction as to whether the respondents could pass order without any reference to any complaint. Learned Special Government Pleader after getting instructions from the official respondents submitted that the order of transfer impugned in the writ petition can be withdrawn and a fresh order of transfer without reference to any complaint against the petitioner can be passed. Accordingly, the order impugned in the writ petition is withdrawn and a fresh order dated 21.06.2022 is issued. In view the same, this Court is inclined to close the writ petition as infructuous. Since the fresh order of



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transfer is at out instance, the appellant whose only grievance is addressed cannot challenge the same afresh.

6. Accordingly, the Writ Petition is closed as infructuous. No Costs. Consequently, connected Miscellaneous Petition is also closed.

[S.S.S.R.,J] [S.S.Y.,J.]
29.06.2022

Index :Yes/No
Internet :Yes/No
sj

To

- 1.The Principal Secretary to the Government,
School Education Department,
Fort St. George,
Chennai – 9.
- 2.The Director of Elementary Education,
DPI Compound,
College Road,
Chennai – 600 006.
- 3.The Chief Educational Officer,
O/o. The Chief Educational Officer,
Pudukkottai District.
- 4.The District Educational Officer,
O/o. The District Educational Officer,
Aranthangi,
Pudukkottai District.
- 5.The Block Educational Officer,
Thiruvarunkulam Block,
Pudukkottai District.



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S.S.SUNDAR,J.
and
S.SRIMATHY,J.

sj

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29.06.2022