



WP(MD)No.13347 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.06.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.13347 of 2022

and

W.M.P(MD)No.9471 of 2022

A.Muthupandi

... Petitioner

/vs./

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

2.The Assistant Commissioner,
Commercial Taxes (State Taxes),
Dindigul Fort Circle,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to call for the records pertaining to the impugned order in Se.Mu.Na.Ka.No.4310/2022/A1-1, dated 16.06.2022 on the file of the first respondent and the consequential impugned order in Se.Mu.Na.Ka.No. 731/2022/A2, dated 16.06.2022 on the file of the second respondent and quash the same as illegal.



WP(MD)No.13347 of 2022

WEB COPY

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.M.Siddharthan
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2.The petitioner herein has been transferred on five occasions within a period of three months. One of the grounds raised by the petitioner is that the earlier transfers were punitive in nature, which have also been interfered by this Court in the earlier proceedings in W.P(MD)No.21932 of 2021 and W.A(MD)No. 214 of 2022.

3.Mr.Veera.Kathiravan, learned Additional Advocate General, assisted by Mr.M.Siddharthan, learned Additional Government Pleader, who takes notice for the respondents, on instructions, submitted that on enquiry, certain misconducts have been proved against the petitioner and therefore, the present transfer order



WP(MD)No.13347 of 2022

has been passed. Since the transfer was punitive in nature, the learned Additional Advocate General fairly submitted that they intend to revoke the transfer order.

4.In view of the submissions made, there shall be a direction to the respondents to recall the impugned order of transfer, dated 16.06.2022 on the file of the first respondent and pass necessary orders, retaining the petitioner in Dindigul, at least within one (1) week from the date of receipt of a copy of this order.

5.This Writ Petition stands allowed on the aforesaid terms. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

28.06.2022

Index : Yes / No
Internet : Yes / No
btr/sm



WEB COPY



WP(MD)No.13347 of 2022

M.S.RAMESH, J.

btr/sm

To

- 1.The Joint Commissioner,
Commercial Taxes (State Taxes),
Madurai Division, Commercial Taxes Buildings,
Dr.Thangaraj Salai,
Madurai-20.
- 2.The Assistant Commissioner,
Commercial Taxes (State Taxes),
Dindigul Fort Circle,
Dindigul District.

Order made in
W.P.(MD)No.13347 of 2022

Dated:
28.06.2022