



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) .No.16318 of 2021

and

W.M.P. (MD) .Nos.13173 and 13175 of 2021

K.Kanagaraj

... Petitioner

Vs.

1.The Director General

ITBP Force, Ministry of Home Affairs
Directorate General,
ITBP,
Block No.2, C.G.O. Complex,
Lodhi Road,
New Delhi - 110 003.

2.The Deputy Director (Medical)

ITBP Force, Ministry of Home Affairs
Directorate General,
ITBP,
Block No.2, C.G.O. Complex,
Lodhi Road,
New Delhi - 110 003.

3.The Deputy Inspector General,

RTC (Sivagangai) ITBP Force,
Village Illupaikudi,
Padamathur Post,
Sivagangai District - 630 562.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent pertaining to its order bearing No.1-47012/02/2020Ms-2743-57 dated 17.06.2021 with regard to Serial No.65 and to quash the same and consequently direct the respondent to permit the petitioner to complete the tenure at the third respondent office till May 2022 so as to support the education of his daughter by considering the request of the petitioner dated 10.11.2020, 19.06.2021 and 10.08.2021 as per Para 6(a)(iii) Directorate General, ITBP Force Standing Order No.02/2020 dated 15.10.2020.



For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mrs.L.Victoria Gowri,
Assistant Solicitor General of India

ORDER

The order of transfer dated 17.06.2021 is challenged predominantly on the ground that the petitioner's daughter was to take the Board Examinations and therefore, the petitioner has sought time till May 2022 for effecting the order of transfer.

2. By an interim order dated 13.09.2021, the impugned order of transfer came to be stayed by this Court. Pending the Writ Petition, the daughter of the petitioner herein has also written her Board Examinations and is awaiting the results.

3. Since the prayer was limited to give effect to the transfer order till May 2022 alone, the relief has become infructuous. In this regard, the respondents are granted liberty to give effect to the impugned order of transfer dated 17.06.2021 or in the alternate to issue fresh orders of transfer in the case of the petitioner herein within a period of one (1) month from the date of receipt of a copy of this order.

4. The Writ Petition stands disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Director General
ITBP Force, Ministry of Home Affairs
Directorate General, ITBP,
Block No.2, C.G.O. Complex,
Lodhi Road, New Delhi - 110 003.

2.The Deputy Director (Medical)
ITBP Force, Ministry of Home Affairs
Directorate General, ITBP,
Block No.2, C.G.O. Complex,
Lodhi Road, New Delhi - 110 003.



3.The Deputy Inspector General,
RTC (Sivagangai) ITBP Force,
Village Illupaikudi, Padamathur Post,
Sivagangai District - 630 562.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-24977[F]
dated 10/06/2022)

**W.P. (MD) .No.16318 of 2021
09.06.2022**

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