



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.21353 of 2019

and

W.M.P. (MD) Nos.17997 & 22403 of 2019

WEB COPY

S.Vijayaragavan

... Petitioner

vs.

1.The State of Tamil Nadu
rep.by its Principal Secretary to Government
Municipal Administration and
Water Supply Department
Fort St.George, Chennai-600 009

2.The Commissioner of Municipal Administration
Chepauk, Chennai-600 005

3.The Commissioner
Dindigul Corporation
Dindigul

4.The Commissioner
Vellore Corporation
Vellore

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records relating to the impugned G.O.(D).No.387, Municipal Administration and Water Supply (MC-5) Department, dated 27.09.2019, issued by the 1st respondent and consequential impugned relieving order issued by the 3rd respondent in vide proceedings in Na.Ka.No.10591/2019/C1, dated 27.09.2019 and quash the same.

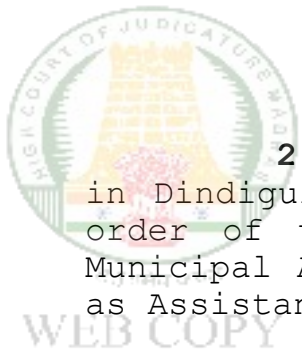
For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 & R2

Mr.R.Lawrance for R3

O R D E R

The order of transfer, dated 27.09.2019, issued by the first respondent and the consequential relieving order, dated 27.09.2019, issued by the third respondent are under challenge in this writ petition.



2. The petitioner is working as Assistant Revenue Officer in Dindigul Municipal Corporation. The first respondent passed an order of transfer accepting the proposal of the Commissioner of Municipal Administration dated 07.09.2019 and posted the petitioner as Assistant in Vellore Corporation in the existing vacancy.

3. The learned counsel for the petitioner mainly contended that the impugned transfer order is punitive in nature. However, the third respondent has filed a counter affidavit stating that it is not punitive and it has been passed based on the administrative exigency. The learned counsel for the petitioner fairly made a submission that by virtue of the interim order passed in this writ petition, the petitioner is continuing in the same post for about 2 ½ years and therefore, the petitioner may be permitted to submit a representation to the first respondent to consider his grievance.

4. In view of the above submission of the learned counsel for the petitioner, the petitioner is at liberty to submit a representation to the first respondent to redress his grievance, if still exists. As regards the impugned orders are concerned, no further adjudication is required. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

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/ /2022

Sub Assistant Registrar(CS)

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To:

- 1.The Principal Secretary to Government,
Municipal Administration and
Water Supply Department,
State of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Commissioner of Municipal Administration
Chepauk, Chennai-600 005
- 3.The Commissioner
Dindigul Corporation
Dindigul



4.The Commissioner
Vellore Corporation
Vellore

+1 CC to M/s.J. LAWRANCE, Advocate (SR-16789[F] dated 06/04/2022)

+1 CC to M/s.SPL.GP (SR-16899[F] dated 06/04/2022)

+1 CC to M/s.M. DINESH, Advocate (SR-17334[F] dated 07/04/2022)

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