



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.22573 of 2021

and

W.M.P(MD) Nos.19093 and 19094 of 2021

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Shanmugam

... Petitioner

Vs.

1.The Agriculture Production Commissioner
& Secretary to Government,
Secretariat,
Chennai.

2.The Director,
Horticulture and Plantation Department,
Chepauk, Chennai.

3.The Deputy Director,
Horticulture Department,
Pudukkottai District.

4.Gurumani

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Certiorari, to call for the records pertaining to the impugned order passed by the second respondent in No.PAP3/21924/2020 dated 20.10.2021 and quash the same.

For Petitioner : Mr.K.Navaneetharaja

For R1 to R3 : Mr.M.Ramesh
Government Advocate

For R4 : Mr.M.Saravanan

O R D E R

This writ petition has been filed by the petitioner challenging the impugned order of transfer of the fourth respondent dated 20.10.2021, whereby the fourth respondent was transferred from Ooty to Pudukkottai.

2.The learned counsel for the fourth respondent submitted that the petitioner was working as Assistant Agriculture Officer and



he was retired from service on 31.05.2016 at the third respondent's office. The petitioner has no authority to challenge the order of the transfer passed by the first respondent, transferring the fourth respondent from Ooty to Pudukkottai. He further submitted that the transfer order was passed on administrative grounds.

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3.The petitioner is not in a position to argue the matter and he seeks further time to make his submission.

4.Since this writ petition is pending from the year 2021, this Court is not inclined to grant any more time, as the petitioner has no authority to file the present writ petition. Further, the transfer was made on administration ground. Therefore, this Court is not inclined to invoke Article 226 of the Constitution of India to pass any order against the impugned order passed by the respondents. Accordingly, this writ petition is devoid of merits and the same is liable to be dismissed with costs, however, since the junior counsel is appearing in this matter, imposing cost appears to be too harsh.

5.In view of the above, this Writ Petition is dismissed without costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cp

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

1.The Agriculture Production Commissioner
& Secretary to Government,
Secretariat,
Chennai.

2.The Director,
Horticulture and Plantation Department,
Chepauk, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Deputy Director,
Horticulture Department,
Pudukkottai District.

+1 CC to M/s.SPL GP (SR-15691[F] dated 31/03/2022)

+1 CC to M/s.M.SARAVANAN, Advocate (SR-15759[F] dated 31/03/2022)

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30.03.2022

RK(26/04/2022) 3P 6C