



W.P.(MD)No.4803 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.(MD)No.4803 of 2016

and

W.M.P(MD) No.4310 of 2016

R.Balamurugan

... Petitioner

Vs.

- 1.The Engineer in Chief, (WRO)
-Cum-Chief Engineer (General),
Public Works Department,
Chepauk,
Chennai - 600 005.
- 2.The Chief Engineer (Buildings),
Public Works Department,
Madurai Division,
Madurai.
- 3.V.Muthuraja,
Superintendent,
Buildings (Construction and Maintenance) Sub Division,
Medical Works,
Collectorate,
Ramanathapuram.

... Respondents



W.P.(MD)No.4803 of 2016

WEB COPY

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari to call for records of the impugned order of the first respondent made in his proceedings No.S3(1)/20100/2016, dated 26.02.2016 and quash the same.

For Petitioner : Mr.D.Srinivasaragavan
For Respondents : Mr.D.Gandhiraj - for R1 & R2
Special Government Pleader
No Appearance - for R3

ORDER

This writ petition has been filed for a Writ of Certiorari to call for records of the impugned order of the first respondent made in his proceedings No.S3(1)/20100/2016, dated 26.02.2016 and quash the same.

2. The learned counsel for the petitioner submitted that the petitioner was working as Superintendent, Buildings (Construction and Maintenance) Sub Division, Ramanathapuram. He joined in the present



W.P.(MD)No.4803 of 2016

place as Superintendent on 14.03.2014. The third respondent was working as Superintendent, Buildings (Construction and Maintenance) Sub Division (Medical Works) Ramanathapuram and he joined in the said post just one and half years back. The post is sensitive post. The third respondent, who wanted to move to his place, is a relative of the first respondent. The first respondent is a relative of the second respondent. Therefore, the petitioner is transferred to the place of the third respondent and third respondent was transferred to the petitioner's place. Challenging the said transfer order, this writ petition is filed.

3. The learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the petitioner was transferred on administrative reasons within Ramanathapuram Town in the same post. It is also submitted by the learned Special Government Pleader that the petitioner is now working at Chennai.

4. Considered the rival submissions and perused the materials available on record.



W.P.(MD)No.4803 of 2016

WEB COPY

5. It is seen from the impugned order that the petitioner was transferred on administrative grounds, within Ramanathapuram Town. The petitioner was earlier working in Construction and Maintenance, Sub Division, Ramanathapuram and was transferred to Construction and Maintenance Sub Division (Medical works) Ramanathapuram, which was held by the third respondent. The third respondent, in turn, was transferred to the petitioner's place. His claim in the affidavit that the post that the petitioner was holding a sensitive post. This Court is not able to understand what is meant by sensitive post. Every post is sensitive post, so far as the Government service is concerned. When the petitioner was transferred on administrative grounds within Ramanathapuram Town, this Court finds no reason to interfere with the said order and moreover, it is informed that the petitioner is now working at Chennai. This writ petition was filed in the year 2016. Now, we are in 2022. Therefore, this Court is of the view that nothing survives to be adjudicated further in this writ petition.



W.P.(MD)No.4803 of 2016

WEB COPY

6. In view of the above, this writ petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

26.07.2022

Internet: Yes

Index :Yes/No

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To

1.The Engineer in Chief, (WRO)
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2.The Chief Engineer (Buildings),
Public Works Department,
Madurai Division,
Madurai.ional Officer
Trichy District.



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W.P.(MD)No.4803 of 2016

G.CHANDRASEKHARAN, J.

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W.P.(MD)No.4803 of 2016

26.07.2022