



W.P.(MD)No.28019 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28019 of 2022

G.J.Ganesh,

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat,
Chennai – 600 009.

2. The Director of Municipal Administration,
75, Santhom Road, MRC Nagar,
Raja Annamalaipuram,
Chennai – 600 028.

3. The Commissioner,
Tirunelveli Corporation,
Tirunelveli – 627 001.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 and 2 to pass orders on the proposal submitted by the third respondent in Na.Ka.No.C3/2688/2022 dated 13.07.2022 within a stipulated time that may be fixed by this Court.



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For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.S.P.Maharajan
Spl. Govt. Pleader for R1 and R2

ORDER

This Writ Petition has been filed for a direction to the respondents 1 and 2 to pass orders on the proposal submitted by the third respondent in Na.Ka.No.C3/2688/2022 dated 13.07.2022.

2. The case of the petitioner is that the petitioner was appointed as Office Assistant on 31.09.1990 in Madurai Corporation and thereafter, he was transferred to Madurai Corporation Zonal Office No.4. On 20.11.2020, the Madurai Vigilance Police conducted a surprise inspection in Madurai Corporation Zonal Office No.4, situated in Mela Marat Street, Madurai and thereby, seized an unaccounted money of Rs.25,400/- from the vehicle bearing Registration No.TN 59 AK 7471. Therefore, the Vigilance Police registered a case as against the three officials and subsequently, included the petitioner as fourth accused. Thereafter, the first respondent issued G.O.(D)No.84, Municipal Administration and Water Supply Department



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dated 24.02.2021 and thereby transferring the petitioner and others. The petitioner was transferred from Madurai Corporation to Tirunelveli Corporation on the ground of criminal case. The petitioner is having three months of service and he is going to attain his superannuation on 31.03.2023. Hence, he made a representation to the respondents on 14.11.2022 seeking request to transfer him from Tirunelveli Corporation to Madurai Corporation and the same was forwarded by the third respondent vide letter dated 13.07.2022 to the second respondent. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to dispose of the representation of the petitioner, dated 14.11.2022, on merits and in accordance with law, within a specified period.

4. The learned Special Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.



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5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 14.11.2022 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No

Speaking Order : Yes / No

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