



WEB COPY



WP.No.19403 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.19403 of 2013

and

M.P.No. 2 of 2013

V.Padma

....

Petitioner

Vs

1. The District Collector,
Salem District,
Salem.

2. The Personal Assistant to the
District Collector,
Noon Meal Scheme
O/o.The District Collectorate
Salem.

3. The Commissioner/
Block Development Officer,
Kadayampatti Panchayat Union,
Kadayampatti,
Salem District.

4. Selvi

....

Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order made in Na.Ka.No.299/2010/Sa.Voo.Thi.2, dated 29.06.2013 passed by the first



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respondent as far as Sl.No.3 and quash the same consequently directing the first respondent to consider the petitioner in Panchayat Union Elementary School, Kundukkal or Government High School, Kundukkal.

For Petitioner : Mr.M.R.Jothimanian
For R1 & R2 : Mr.R.P.Murugan Raja
Government Advocate

ORDER

This Writ Petition has been filed challenging the order of transfer dated 29.06.2013.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

2. While admitting the writ petition, this Court granted interim order of stay and as such, the petitioner is continuing his service in the same place as Noon Meal Organizer. Therefore, the order of transfer is not given effect to and the petitioner is continuing his service in the same post in the same place. Therefore, after a period of 10 years, the impugned order of transfer cannot be effected and it is liable to be set aside.



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3. In view of the above, the impugned order dated 29.06.2013

Na.Ka.No.299/2010/Sa.Voo.Thi.2, passed by the first respondent is hereby quashed. Accordingly, this Writ Petition stands allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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Index:Yes/No
Internet:Yes/No
Lpp

To

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