



WEB COPY



W.P.No.28310 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

**W.P.No.28310 of 2011**

P.Subbuthai

... Petitioner

-Vs-

The Commissioner of Municipal Administration,  
Chepauk,  
Chennai-5.

... Respondent

**Prayer:-** Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondent to transfer the petitioner to the integrated Chennai Corporation or to any of the Municipalities situated adjoining Chennai Corporation within a stipulated time.

For Petitioner : Mr.T.P.Prabakaran

For Respondent : Mr.K.H.Ravi Kumar  
Government Advocate

**ORDER**

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondent to transfer the petitioner to the integrated Chennai Corporation or to any of the Municipalities situated



adjoining Chennai Corporation within a stipulated time.

2. Heard both sides and perused the materials available on record.

3. The petitioner is working as Town Planning Officer in the Tamil Nadu Municipal Administration Department and thereafter, he was posted at Cuddalore Municipality. Due to her illness, she made a representation to transfer her to the integrated Chennai Corporation or any of the Municipalities situated adjoining Chennai Corporation.

4. A perusal of the counter filed by the respondent revealed that the petitioner had already suffered with several punishments as follows:-

| <i>S.No</i> | <i>Order</i>          | <i>Rule</i> | <i>Punishment Awarded</i>                                           |
|-------------|-----------------------|-------------|---------------------------------------------------------------------|
| 1.          | Roc.No.28826/2007/TP1 | 8(1)        | Increment stopped for a period of 2 years without cumulative effect |
| 2.          | Roc.No.25001/2007/OP3 | 8(1)        | Increment stopped for a period of 3 years without cumulative effect |
| 3.          | G.O.(D) No.480 MA&WS  | 8(2)        | Increment stopped for a period of 5 years with cumulative effect    |

5. Accordingly, she has to undergo punishment for about 10 years.

Apart from that, there is another disciplinary case pending against her.



W.P.No.28310 of 2011

That apart, the petitioner cannot be transferred on her whims and fancies.

WEB COPY

6. Therefore, the prayer sought for in this writ petition cannot be considered and this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

17.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

mn

**G.K.ILANTHIRAIYAN, J.**

mn



W.P.No.28310 of 2011

WEB COPY

To

The Commissioner of Municipal Administration,  
Chepauk,  
Chennai-5.

W.P.No.28310 of 2011

17.08.2023