



W.P.No.25449 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.03.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.25449 of 2016 and
W.M.P.No.21774 of 2016

K.Aruchamy

... Petitioner

Vs.

1. The Director, NCC,
National Cadet Corps Directorate,
Tamilnadu, Puduchery & Andamans,
Fort St. George,
Chennai – 600 009

2. The Deputy Director General, NCC,
National Cadet Corps Directorate,
Tamilnadu, Puduchery & Andamans,
Fort St. George
Chennai – 600 009

3. The Officer Commanding,
Sainik School, COY NCC,
Amaravathi Nagar,
Udumalpet Taluk,
Tiruppur District

... Respondents

Writ Petition is filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of transfer issued by the 1st respondent in his proceedings in Memorandum No.1336/1/SC/3 dated 30.01.2016 and



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quash the same and consequently direct the 1st respondent to repost the petitioner as junior assistant at Amaravathi Nagar under the control of the 3rd respondent.

For Petitioner : Mr.Kalimuthu

For Respondents : Not ready Notice

ORDER

The present Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of transfer issued by the 1st respondent in his proceedings in Memorandum No.1336/1/SC/3 dated 30.01.2016 and quash the same and consequently direct the 1st respondent to repost the petitioner as junior assistant at Amaravathi Nagar under the control of the 3rd respondent.

2. On the earlier occasion, viz., on 31.01.2023, this Court, while granting an adjournment has observed that “inspite of several opportunities, the petitioner has defaulted in paying the batta. As a last opportunity, the petitioner was granted time till 06.02.2023 for payment of batta, as against the concerned respondent(s) and it was made clear that in case the petitioner fails to pay the batta on or before 06.02.2023, final



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orders will be passed, dismissing the writ petition, thereby directed to list the petition on 07.02.2023”

3. Thereafter, on 08.03.2023, there is no representation for the petitioner, hence the case was ordered to be listed today, viz., 14.03.2023 under the caption 'for dismissal'.

4. Today, viz., on 14.03.2023, the learned counsel for the petitioner is present, however, the earlier order passed by this Court on 31.01.2023, has not been complied with by the petitioner, i.e., the petitioner has not paid the batta. Hence the present petition is liable to be dismissed for default.

5. Since the conditional order, [viz., to pay the batta,] passed by this Court on 31.01.2023 has not been complied with by the petitioner, the present Writ Petition is dismissed for default. Consequently, connected miscellaneous petition is closed. No costs.

14.03.2023

Index : Yes/No
Internet : Yes/No
Speaking /Non-Speaking Order
ssd

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To

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V.BHAVANI SUBBAROYAN, J.,

ssd

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