



WEB COPY



W.P.No.14372 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Writ Petition No.14372 of 2023

K.Moorthy

.... Petitioner

-Vs-

1.The Principal Secretary to Government
Department of Labour and Employment
Secretariat, St.George Fort, Chennai 600 009.

2.The Principal Secretary to Government
Department of Personnel and Administrative
Reforms, Secretariat, St.George Fort
Chennai 600 009.

3.The Principal Secretary to Government
Department of Welfare of Differently Abled
Persons, Secretariat, St.George Fort
Chennai 600 009.

4.The Commissioner of Labour
Commissionerate of Labour
DMS Compound, DMS Subway
Anna Salai, Teynampet
Chennai – 600 005.

.... Respondents

Prayer :Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 08.07.2022 and to implement the 1st respondent's letter (Ms) No.92/S/09 dated 22.07.2009 as well as recommendation File No.005519/L.O./2022 dated 23.05.2022 consequently to issue transfer order from Assistant Commissioner of



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Labour (Enforcement), Perambalur to Assistant Commissioner of Labour
(Enforcement), Trichy.

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For Petitioner : Mr.P.Saravanan

For Respondents : Mr.C.Kathiravan
Special Government Pleader

ORDER

This writ petition has been filed for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 08.07.2022 and to implement the 1st respondent's letter (Ms) No.92/S/09 dated 22.07.2009 as well as recommendation File No.005519/L.O./2022 dated 23.05.2022 consequently to issue transfer order from Assistant Commissioner of Labour (Enforcement), Perambalur to Assistant Commissioner of Labour (Enforcement), Trichy.

2. It is the case of the petitioner that the petitioner is a differently abled person with 40% disability and has been working as Assistant Commissioner of Labour (Enforcement) Perambalur. He has sought for transfer from Perambalur to Trichy. Since the same has not been considered so far, he has approached this Court by filing the present writ petition.

3. Mr.P.Saravanan, learned counsel appearing for the petitioner submits that the Government by its Letter (Ms) No.92/S/09 dated 22.07.2009 has issued detailed



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guidelines regarding the transfer policy to be followed in the case of Government employees who are differently abled and the petitioner seeks his representation dated 08.07.2022 be considered in the light of the aforesaid Government letter.

4. Mr.C.Kathiravan, learned Special Government Pleader submits that the petitioner's representation dated 24.03.2023 will be considered on merits and appropriate orders will be passed thereon within a period of four weeks.

5. Recording the said submission and also considering the limited scope of the relief sought for, without expressing any opinion on the merits of the matter, this Writ Petition is disposed of with a direction to the respondents to consider the petitioner's representation dated 08.07.2022 by taking into consideration the Government Letter (Ms) No.92/S/09 dated 22.07.2009 and pass appropriate orders thereon within a period of four weeks from the date of receipt of a copy of this order. No costs.

05.05.2023

Index : Yes/No
Internet : Yes/No
KST



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To

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A.D.JAGADISH CHANDIRA, J.

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