



WEB COPY



WP.No.20300 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.20300 of 2023

G.Santhanakrishnan

...Petitioner

Vs.

1. The District Collector,
First Floor, New Collectorate Building,
Collectorate,
Manjakuppam,
Cuddalore District 607 001.
2. The Revenue Divisional Officer,
Cuddalore,
Cuddalore District 607 001.
3. The Tahsildar (Revenue),
Kurinjipadi Taluk,
Taluk Office, Kurinjipadi,
Cuddalore District - 607 001.

..Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 03.07.2023 and permit the petitioner to complete three years of service at Vadakuthu Village in Cuddalore District in accordance with law.

For Petitioner	: Mr.K.Venkatramani, Senior Counsel for Mr.S.Manuraj
For Respondents	: Mr.P.Baladhandayutham, Spl.G.P.



WP.No.20300 of 2023

ORDER

WEB COPY

This Writ Petition is filed to consider the representation of the petitioner dated 03.07.2023 and permit him to complete three years of service at Vadakuthu Village in Cuddalore District in accordance with law.

2. It is the case of the petitioner that he was appointed as Village Administrative Officer (VAO) in Mannampadi Village on 10.03.2018. After serving as VAO in various places, the petitioner was lastly posted as VAO in Vadakuthu Village on 22.03.2020. Alleging malpractice, by the order dated 30.08.2021 the petitioner was suspended from 04.08.2021 and 07.01.2022. Challenging the same, the petitioner filed WP.No.17872 of 2021 and this Court was pleased to pass an order granting interim stay. After repeated requests, the second respondent finally passed the order dated 06.01.2022 reinstating the petitioner as VAO in Vadakuthu Village and the petitioner also resumed the office on 08.01.2022. However, all of a sudden, the second respondent issued the order transferring him from Vadakuthu Village without considering his representation dated 03.07.2023.



WP.No.20300 of 2023

WEB COPY

3. The learned counsel for the petitioner submitted that the petitioner was illegally kept in suspension and he was reinstated into service after six months. Hence, he requested to exclude that period and allow the petitioner to complete three years period in the Vadakuthu Village. He also stated that as per the Government Order, VAO cannot be transferred within a period of three years. In this regard, he gave a representation and the same has not been considered by the respondents.

4. This Court is unable to comprehend the submission of the learned counsel for the petitioner as the petitioner was appointed into the Government Service, where transfer is incidental and also it is one of the conditions of Service. Merely, because suspension is revoked after six months, the petitioner as a matter of right cannot seek retention in the same place by excluding that period. Therefore even a direction to consider the representation cannot be issued. Accordingly, the Writ Petition fails and the same is dismissed. No costs.

07.07.2023

Index : Yes/No
pvs



WP.No.20300 of 2023

To

1. The District Collector,
First Floor, New Collectorate Building,
Collectorate,
Manjakuppam,
Cuddalore District 607 001.
2. The Revenue Divisional Officer,
Cuddalore,
Cuddalore District 607 001.
3. The Tahsildar (Revenue),
Kurinjipadi Taluk,
Taluk Office, Kurinjipadi,
Cuddalore District - 607 001.



WEB COPY



WP.No.20300 of 2023

N.SATHISH KUMAR.J.,

pvs

WP.No.20300 of 2023

07.07.2023