



WP.No.25418 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.25418 of 2023
and W.M.P.No.24806 of 2023

V.Sundar

.. Petitioner

Versus

1.The State of Tamil Nadu
Rep by its Principal Secretary to Government
Adi Dravidar and Welfare Department
Fort St.George, Secretariat
Chennai – 600 009

2.The Director
Adi Dravidar Welfare Department
Chepauk, Chennai – 600 005

3.The District Adi Dravidar and Tribal Welfare Officer
Vellore District
Vellore – 9

.. 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 relating to the impugned order issued by the 2nd respondent in Na.Ka.No E4/32765/2022 dated 06.07.2023 and to quash the same and consequently directing the respondents to pass orders for retention of the petitioner as Driver in the Office of the third respondent in consideration of the proposal submitted by the third respondent in Na.Ka.K1/822/2023 dated 06.07.2023.

For Petitioner : Mr.S.Jayamalan
For Respondents : Mr.V.P.R.Elamparithi for R1 to R3
Additional Government Pleader



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ORDER

This writ petition has been seeking to direct the second respondent to consider the retention of the petitioner as Driver in the office of the third respondent in consideration of the proposal submitted by the third respondent in Na.Ka.K1/822/2023 dated 06.07.2023.

2. The petitioner is a driver working in the third respondent Office and he has been transferred from Vellore to Cuddalore vide the impugned Order dated 06.07.2023. It is the grievance of the petitioner that he has to be retained in the same position and a representation is also pending before the respondents, further, the third respondent vide proceedings in Na.Ka.K1/822/2023 dated 06.07.2023 forwarded the proposal to the second respondent for consideration of the claim of the petitioner, which is not considered by the respondents. Hence, this writ petition.

3. Heard both sides and perused the materials placed on record. Since, there is no motive alleged for the transfer order, as a matter of right, the petitioner cannot challenge the transfer order. However, as the petitioner has already given a representation dated 06.07.2023 and the third respondent has also forwarded the proposal to the second respondent vide proceedings in Na.Ka.K1/822/2023 dated 06.07.2023. Such view of the matter, the second



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respondent shall consider the proposal of the third respondent dated 06.07.2023 on its own merits and take a decision within a period of one month from the date of receipt of a copy of this Order.

4. In view of the above, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

29.08.2023

dhk
Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

To

1. The Principal Secretary to Government
The State of Tamil Nadu
Adi Dravidar and Welfare Department
Fort St. George, Secretariat
Chennai – 600 009

2. The Director
Adi Dravidar Welfare Department
Chepauk, Chennai – 600 005

3. The District Adi Dravidar and Tribal Welfare Officer
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N.SATHISH KUMAR, J.



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