



WEB COPY



W.P.No.25916 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.25916 of 2023

S.Subramanian

... Petitioner

Vs.

- 1.The Commissioner of Handlooms,
2nd Floor, Kuralagam,
Chennai – 108.
- 2.The Assistant Director of Handlooms,
Bhavani Main Road,
Veerappanchatram Post – 638 004,
Erode.
- 3.The Administrator,
Chennimalai Metro Primary Handloom
Weavers Cooperative Production and
Sale Society Ltd., CH-7,
No.61, Thirugnana Sambanthar Street,
Chennimalai – 638 051,
Erode District.

4.S.Govindasamay

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to consider and pass orders, on merits, by disposing the written representation made by the petitioner on 07.08.2023 within a stipulated time as this Court fixes.



W.P.No.25916 of 2023

For Petitioner : Mr.C.Prakasam
For R1 & R2 : Mr.E.Vedabagath Singh
Special Government Pleader
For R3 : Mr.R.P.Muruga Raja
Government Advocate

ORDER

This writ petition has been filed to direct the 1st respondent to consider and pass orders, on merits, by disposing the written representation made by the petitioner on 07.08.2023 within a stipulated time as this Court fixes.

2.It is the case of the petitioner that he is being frequently transferred from one place to another and the last such transfer was from Chennimalai to Karaikudi on 25.05.2023. The petitioner joined at Karaikudi on 19.07.2023. It appears that, after joining in the above said place, the petitioner has obtained Medical Leave, whereas, he has given a representation to the respondents to consider his re-transfer on medical grounds. Besides, he has also sought for cancellation of departmental enquiry initiated against him.



W.P.No.25916 of 2023

WEB COPY

3.Heard the learned counsel for the petitioner, Mr.E.Vedabagath Singh, learned Special Government Pleader, who takes notice for the respondents 1 and 2 and Mr.R.P.Muruga Raja, learned Government Advocate, who takes notice for the 3rd respondent.

4.At the outset, this Court is of the view that, when a person, after joining his new Station of work after transfer, has not even worked in that Station and remained away from duty by obtaining leave, he cannot seek a direction, as a matter of right, to consider his case for re-transfer. In such view of the matter, this Court does not find any merit in this writ petition.

5.Accordingly, this writ petition is dismissed. No costs.

05.09.2023

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order



WEB COPY



W.P.No.25916 of 2023

N. SATHISH KUMAR, J.
mkn

To

- 1.The Commissioner of Handlooms,
2nd Floor, Kuralagam,
Chennai – 108.
- 2.The Assistant Director of Handlooms,
Bhavani Main Road,
Veerappanchatram Post – 638 004,
Erode.
- 3.The Administrator,
Chennimalai Metro Primary Handloom
Weavers Cooperative Production and
Sale Society Ltd., CH-7,
No.61, Thirugnana Sambanthar Street,
Chennimalai – 638 051,
Erode District.

W.P.No.25916 of 2023

05.09.2023