



W.P(MD)No.4872 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4872 of 2023

and

W.M.P(MD)Nos.4550 and 4551 of 2023

A.Dhanalakshmi

... Petitioner

Vs.

- 1.State represented by
Agriculture Production Commissioner /
Secretary to Government,
Agriculture and Farmers Welfare Department,
Fort St.George,
Chennai.
- 2.The Director,
Directorate of Horticulture and Plantation Crops,
Ezhilagam, Chepauk,
Chennai.
- 3.The Deputy Director of Horticulture,
Ramnad, Ramnad District.
- 4.Nagarajan,
The Deputy Director of Horticulture,
Ramnad,
Ramnad District.
- 5.The Assistant Director of Horticulture,
Paramakudi,
Ramnad District.



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6. The Assistant Director of Horticulture,
Thirupulani,
Ramnad District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorified Mandamus calling for the records pertaining to the impugned order passed by the third respondent in his proceedings bearing Se.Mu.Aa.No.Pa1/1375/2022 dated 23.02.2023 and quash the same with the consequential direction directing the 3rd respondent to re-initiate the petitioner in her present place of work with effect from 23.02.2023.

For Petitioner : Mrs.Porkodi Karnan
Polex Legal Solutions

For Respondents : Mr.R.Baskaran
Additional Advocate General
Assisted by
Mr.G.Suriyananth
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. By the impugned order dated 23.02.2023, the third respondent had relieved the petitioner from work and surrendered her post to the second respondent.



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3. Eventhough very many allegations have been made and the learned counsel for the petitioner reiterated them, I consciously refrain from going into the same in view of certain subsequent developments and the nature of order to be passed.

4. The writ petition was listed for admission on 07.03.2023. When the matter was taken up today(14.03.2023), the learned Additional Advocate General appearing for the respondents produced a copy of the order dated 08.03.2023 passed by the second respondent transferring the petitioner from Ramnad District and posting her as Assistant Horticulture Officer at Devakottai. The petitioner undertakes to join in the transferred place on 17.03.2023 in the Forenoon itself.

5. In view of the aforesaid undertaking given by the petitioner, subject to her abiding by the same, the intervening period from 24.02.2023 till 16.03.2023 shall be treated as one of 'Earned Leave' the said period shall be appropriately regularised. The petitioner shall not be visited with any action in this regard. After the petitioner joins the transferred place, the petitioner is permitted to submit a representation to the second respondent for appropriately



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accommodating her in any other place. The second respondent is called upon to consider the petitioner's request by taking note of the relevant circumstances.

6. This writ petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

14.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

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- 6.The Assistant Director of Horticulture,
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G.R.SWAMINATHAN, J.

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