



W.P(MD)No.7379 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7379 of 2023
and
W.M.P.(MD)Nos.6919 and 6920 of 2023

M.Kanimozhi

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Transport Department, St.George Fort,
Chennai – 600 009.

2.The Deputy Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Chennai – 600 003.

3.The Transport Commissioner,
Chepauk, Chennai – 5.

4.The Joint Transport Commissioner,
Chennai South Zone,
Chepuak, Chennai.

5.The Joint Transport Commissioner (Admin),
Transport and Road Safety,
Anaiyaragam, Chepauk,
Chennai.

6.The Regional Transport Officer,
Srirangam, Trichy.

... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the 3rd Respondent in R.No.10666/RA2/2023 (E.O.No.88/2023) dated 23.03.2023 served on 24.03.2023 and quash the same.

For Petitioner : Mr.C.Vakeeswaran

For Respondents : Mr.G.Suriyananth,
Addl. Govt. Pleader for R1, R3 to R6.
Mr.J.Anandkumar,
Standing Counsel for R2.

ORDER

Heard the learned counsel on either side.

2.By the impugned order, the petitioner has been transferred as Junior Assistant and posted at Marthandam. The petitioner was earlier holding the post of Assistant. On account of passing of G.O.(2D)No.143, Home (Transport-II) Department, dated 13.03.2023, she was downgraded to the post of Junior Assistant. I had set aside the said government order and remitted to the file of the government to pass order afresh on merits and in accordance with law. Since the impugned transfer order is

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anchored on the aforesaid government order, in view of setting aside the same, the impugned transfer order has to go. I make it clear that setting aside the order impugned in this writ petition will not come in the way of the third respondent to transfer the petitioner in the same rank of Assistant.

3.With this liberty to the third respondent, this writ petition is allowed. No costs.

19.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Additional Chief Secretary,
Transport Department, St.George Fort,
Chennai – 600 009.
- 2.The Transport Commissioner,
Chepauk, Chennai – 5.
- 3.The Joint Transport Commissioner,
Chennai South Zone,
Chepuak, Chennai.
- 4.The Joint Transport Commissioner (Admin),
Transport and Road Safety,
Anaiyaragam, Chepauk, Chennai.

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5.The Regional Transport Officer,
Srirangam, Trichy.

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