



W.P.(MD)No.11366 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.11366 of 2023
and
W.M.P(MD).No.9876 of 2023

Varadharajan

... Petitioner

Vs.

1.The Managing Director,
TNSTC, Tirunelveli Limited,
Tirunelveli.

2.The General Manager,
TNSTC, Tirunelveli Limited,
Nagercoil Region,
Kanyakumari Branch,
Kanyakumari,
Kanyakumari District.

3.The Branch Manager,
TNSTC, Tirunelveli Limited,
Nagercoil Region,
Kanyakumari Branch,
Kanyakumari,
Kanyakumari District.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records pertaining to the impugned order passed by the second respondent in proceedings No.4322/A3/TNSTC (TVL) NAGER/2009 dated 27.04.2023 and quash the same as illegal.

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mr.D.Jebaraj

ORDER

This writ petition has been filed to call for the entire records relating to the impugned order passed by the second respondent in proceedings No.4322/A3/TNSTC (TVL) NAGER/2009 dated 27.04.2023 and quash the same as illegal.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a physically disabled person and sustained 40% disability. He worked as Non-ITI-Helper in Kanyakumari District from the year 2019. While so, all of a sudden, the petitioner was transferred from Kanyakumari to Nagercoil. Challenging the same, the present writ



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petition has been filed.

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3. The learned counsel appearing for the petitioner would submit that it would suffice, if this Court permits the petitioner to join duty in the transferred place and thereafter, permits the petitioner to make a representation to re-transfer to Kanyakumari on the ground of disability.

5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without interfering with the impugned order passed by the second respondent, directs the petitioner to join duty in the transferred place within a period of two weeks from the date of receipt of a copy of this order and after joining in the transferred place, liberty is granted to the petitioner to make a representation before the second respondent for request of re-transfer on the ground of disability.



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7. With the above direction, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

04.05.2023

Index: Yes/No
Internet: Yes/No
ssb/sm

To

1. The Managing Director,
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Tirunelveli.
2. The General Manager,
TNSTC, Tirunelveli Limited,
Nagercoil Region,
Kanyakumari Branch,
Kanyakumari,
Kanyakumari District.
3. The Branch Manager,
TNSTC, Tirunelveli Limited,
Nagercoil Region,
Kanyakumari Branch,
Kanyakumari,
Kanyakumari District.



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M.DHANDAPANI,J.

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