



W.P(MD)No.13177 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13177 of 2023

and

W.M.P.(MD)Nos.11139 & 11140 of 2023

M.Kanimozhi

... Petitioner

Vs.

**1.The Transport Commissioner,
Chepauk,
Chennai-5.**

**2.The Regional Transport Officer,
Srirangam,
Trichy.**

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the first respondent in R.No.10666/RA2/2023 (E.No.167/2023), dated 17.05.2023 and quash the same.

For Petitioner : Mr.C.Vakeeswaran

**For Respondents : Mr.T.Villavankothai
Additional Government Pleader**



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ORDER

Heard the learned counsel on either side.

2. By the impugned order dated 17.05.2023, the petitioner has been transferred from Srirangam to Valliyoor. The transfer order is questioned by the petitioner on the ground set out in the affidavit filed in support of the writ petition.

3. The learned counsel appearing for the petitioner asserts that since the petitioner had successfully challenged the punishment order imposed on her, she had been visited with the impugned order of transfer. He would add that when the earlier order of transfer was set aside by this Court, the petitioner submitted a representation. But even without considering the same, the present order has been passed.

4. I consciously refrain from going into the contentions advanced by the learned counsel appearing for the petitioner. This is primarily because the impugned order only states that it has been passed on administrative ground and it does not cast any stigma on the petitioner.



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5. However, taking note of the special facts and circumstances obtaining in this case, if the petitioner abides by the order of transfer and joins the transferred place, it is open to her to submit a fresh representation for revisiting the issue of transfer and on receipt of such representation, an appropriate order shall be passed by the first respondent within a period of eight weeks thereafter. The first respondent is also directed to give personal hearing to the petitioner before passing final order. Since the earlier order of transfer was set aside by this Court, the first respondent shall issue formally relieving order to the petitioner so as to enable her to join in the transferred place.

6. The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

07.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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NOTE:Issue Order Copy on 12.06.2023.



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G.R.SWAMINATHAN, J.

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To

- 1.The Transport Commissioner,
Chepauk,
Chennai-5.
- 2.The Regional Transport Officer,
Srirangam,
Trichy.

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