



W.P(MD)No.27356 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27356 of 2023

and

W.M.P(MD)Nos.23505 & 23506 of 2023

P.Poochendu

... Petitioner

Vs.

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Project Director,
District Rural Development Agency,
Tenkasi District,
Tenkasi.
- 3.The Executive Engineer,
District Rural Development Agency,
Tenkasi District,
Tenkasi.
- 4.The Block Development Officer,
Keelapavoor Panchayat Union,
Tenkasi District.
- 5.The Block Development Officer,
Melaneelithanallur Panchayat Union,
Tenkasi District.



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6.Johnson,
Assistant Engineer,
Melaneelithanallur Panchayat Union,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for all the records pertaining to the impugned orders passed by the first respondent vide Na.Ka.No.COLRD/4329/2023-N2, dated 09.11.2023 and consequential relieving order issued by the fourth respondent vide proceedings Na.Ka.BDOKVR/837/2023-A1, dated 10.11.2023, and quash the same as illegal and unconstitutional, consequently direct the respondents 1 and 4 to permit the petitioner to work as Assistant Engineer at Keelapavoor Panchayat Union, Tenkasi District in view of the order passed by the first respondent vide proceedings Na.Ka.No.COLRD/4329/2023-N2, dated 01.11.2023.

For Petitioner : Mr.R.Anand

For R-1 to R-3 : Mr.S.Shaji Bino
Special Government Pleader

For R-4 & R-5 : M/s.K.Christy Theboral
Standing Counsel

ORDER

The present writ petition has been filed by an Assistant Engineer in Panchayat Union challenging the order of transfer from Keelapavoor to



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Melaneelithanalloor. While the writ petition is pending, the order impugned in the writ petition has been recalled and a fresh order has been passed on 21.11.2023 transferring the writ petitioner to Tenkasi. In view of the subsequent orders, no further adjudication is called for in the writ petition.

2. The learned Counsel appearing for the writ petitioner had pointed out that the petitioner could not join duty between 02.11.2023 and 28.11.2023 in view of the pendency of the writ petition. In view of the above said facts, the authorities are directed to treat this period as 'eligible leave' to the writ petitioner and regularise the said period.

3. With the above said observation, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

29.11.2023

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



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- To
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Tenkasi.
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 - 6.The Assistant Engineer,
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R.VIJAYAKUMAR, J.

BTR

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