



W.P.No.7530 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM :

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

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K.Siddarthan

... Petitioner

-Vs-

1.Government of Puducherry
Rep.by the Chief Secretary to Government
Chief Secretariat, Puducherry - 605 001.

2.The Secretary to Government (DP & AR)
Chief Secretariat, Puducherry - 605 001.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to dispose of my representation dated 14.11.2022 within six weeks as per the O.M. dated 11.01.2022 of the Ministry of Personnel, Public Grievances by way of issuing an appropriate order considering merits of the facts stated in the representation or a speaking order after giving an opportunity to present my views in person.

For Petitioner : Party-in-Person

For Respondents : Mr.R.Syed R.Mustafa
Special Government Pleader (Puducherry)



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ORDER

(Order of the Court was made by **R.SURESH KUMAR, J.**)

The petitioner is a retired employee of the respondent Government. He retired from service on 31.01.2022 as the Statistical Officer in the Department of Economics and Statistics, Government of Puducherry.

2. His grievance is that another employee by name one Sai Lalitha Rani.L. Assistant working in the Department of Finance, Chief Secretariat, Government of Puducherry is to be transferred for public good and public reasons. In this regard, seeking the transfer of such an employee, he had given a representation on 14.11.2022 to the respondent Department, which, since was not considered and disposed, he had approached the Tribunal seeking such a relief, which was negated by the Tribunal by its order dated 26.04.2023.

3. In this writ petition, though the said order passed by the Tribunal has not been challenged, the very same prayer that has been sought for before the Tribunal seeking to give a direction to dispose of his representation dated 14.11.2022 has been sought for.

4. Heard the petitioner, who appeared party-in-person. He has agreed that the grievance espoused in this writ petition is not related to his service and therefore it is necessarily not to be treated as a service dispute.



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5. Therefore, if he has got any other grievance for which he wants the transfer of an employee working in the Department, where the present petitioner is an erstwhile employee on public interest, that grievance of the petitioner can be considered as public interest and not as a service dispute. Therefore, to that extent, the decision of the Tribunal in rejecting the plea of the petitioner is to be accepted even though it has not been specifically questioned in this writ petition.

6. In the same lines, this Court also since is dealing with the service disputes arising out of the orders passed by the Central Administrative Tribunal, Chennai Bench, this writ petition cannot be entertained as such invoking Article 226 of the Constitution. Therefore, this writ petition is liable to be rejected and accordingly, it is dismissed. No costs. However, it is open to the petitioner in person to espouse his grievance in the manner known to law if he really feels that the issue that has been raised by him is for public interest. With the above observations, this writ petition is dismissed. No costs.

(R.S.K.,J.) (K.B.,J.)
25.03.2024

Index : Yes
Internet : Yes
Neutral Citation : Yes
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R.SURESH KUMAR, J.
and
K.KUMARESH BABU, J.

KST

To

- 1.Chief Secretary to Government
Chief Secretariat, Puducherry - 605 001.
- 2.The Secretary to Government (DP & AR)
Chief Secretariat, Puducherry - 605 001.

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