



WEB COPY

W.P.No.18048 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.No.18048 of 2021 and
W.M.P.Nos.19275 & 19276 of 2021

M.Prabakar

... Petitioner

Vs.

1.Government of Tamil Nadu,
Rep by Principal Secretary to Government,
Rural Welfare and Panchayats Department,
Secretariat, Chennai 09.

2.The Director,
Rural Development and Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai 15.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order of transfer issued by the first respondent in G.O.Ms.No.221, Rural Development and Panchayats (E1) Department, dated 19.08.2021 and to quash the same and to direct the respondents herein to retain the petitioner in the same post and station till the completion of his tenure.

For Petitioner

: Mr.S.Mohammed Shalik for
Mr.M.Ravi



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For Respondents

: Mr.P.Neelakandan, AAG,
Assisted by
Mr.R.U.Dinesh Raj Kumar, AGP

ORDER

This Writ Petition has been filed for quashment of the order issued by the first respondent in G.O.Ms.No.221, Rural Development and Panchayats (E1) Department, dated 19.08.2021 and to direct the respondents herein to retain the petitioner in the same post and station till the completion of his tenure.

2. Heard the learned counsel on both sides and also perused the materials available on record.

3.The learned counsel for the petitioner submitted that the petitioner was initially appointed as Divisional Development Officer by the first respondent's department and thereafter, was promoted as Additional Director of Rural Welfare Department. The petitioner was later transferred and posted as Additional Director of Rural Development & Panchayats/ Project Director, Livelihoods Mission at Madurai on 24.02.2020. All of a sudden, on



19.08.2021, the first respondent issued an order of transfer to the post of Principal, Regional Institute of Rural Development and Panchayat, Pattukottai, Tanjore District. The order seems to have been passed on the request of the other individuals, not on the request of the petitioner. There is no administrative ground to transfer the petitioner during the middle of the academic year, especially, when the daughter of the petitioner was studying 8th standard at Madurai and his mother, aged 86 years was undergoing treatment at Madurai. Hence, the petitioner has filed the present petition seeking to quash the order of transfer issued by the first respondent.

4. The learned Additional Advocate General appearing for the respondents produced a proceeding of the Director, Directorate of Rural Development and Panchayat Raj, Saidapet, dated 11.11.2024 and submitted that the petitioner has filed this petition to quash the order of transfer which was issued by the first respondent. This Court, by an order dated 27.08.2021, had granted an order of status quo till 27.08.2021. In which, a counter affidavit was filed to vacate the interim order of status quo. Thereafter, the individual had joined in the post of Principal, Regional Institute of Rural Development and Panchayat, Pattukottai, Tanjore District, on 10.12.2021 and



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continued his service and was placed under suspension from service on 30.05.2023 vide G.O.(2D).No.51, RD & PR (E2), dated 30.05.2023. He was not permitted to retire from service on 31.05.2023 A.N. Hence, the prayer of the petitioner for order of transfer has become infructuous.

5. On perusal of the records, it reveals that the petitioner had already joined in the post of Principal, Regional Institute of Rural Development and Panchayat, Pattukottai, Tanjore District, on 10.12.2021 and continued his service till 31.05.2023 and thereafter, placed under suspension from service on 30.05.2023 vide G.O.(2D).No.51, RD & PR (E2) and not permitted to retire from service on 31.05.2023 A.N.

6. In view of the above, the prayer of the petitioner has become infructuous. Hence, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected connected Miscellaneous Petitions are closed.

13.11.2024

vkr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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To

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VIVEK KUMAR SINGH, J.

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