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W.P.No.16728 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2024

CORAM

THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.16728 of 2024

and

W.M.P.No.18378 of 2024

A. Moorthy

... Petitioner

Vs.

The Principal Chief Conservator of Forests,
(Head of Forest Force)
Velachery Main Road, Guindy
Chennai 600 032.
Respondent

...

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorari calling for the entire records which culminated in issuing the proceedings in Ref.No.B2/17508/2024 dated 19.06.2024 passed by the respondent and quash the same.

For Petitioner : Mr.S.Mani

For Respondents : Dr.T.Srinivasan
Special Government Pleader (Forest)

ORDER

This writ petition is filed for issuance of a Writ of Certiorari calling for the entire records which culminated in issuing the proceedings in Ref.No.B2/17508/2024 dated 19.06.2024 passed by the respondent and



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quash the same.

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2. The learned counsel appearing for the petitioner submitted that the petitioner is challenging the impugned order dated 19.06.2024 transferring him from Forest Protection Squad, Vellore to SMTR Madurai. When the petitioner is going to retire in another 9 months at the verge of the retirement, the petitioner is being disturbed. According, to him when a general transfer or transfer counseling is not taken up, there is no necessity to take up the case of the petitioner and transfer him at the verge of the retirement. The same is against the transfer guidelines also.

3. The learned Special Government Pleader who takes notice on behalf of the respondent would submit that the petitioner is working in the same circle for a period of more than 6 years. Only taking into account several factors without causing any stigma he is been transferred outside the circle. Therefore, when an administrative transfer is made the Court need not interfere in the same.

4. Heard both sides and perused the materials available on record.



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5. Considering the fact that there is no stigma which is caused to the petitioner and by G.O.Ms.No.85 dated 25.08.2006, the respondent is entitled to transfer the petitioner outside the circle upon completion of 6 years of service, I am of the view that this is not a fit case for interference by this Court. Anyhow, the learned counsel for the petitioner pleads that there are two other vacancies which are nearby to the same post in the same circle. But the respondents are transferring the petitioner out of the circle. If the petitioner wants to approach the respondents on the ground of convenience and by pleading that he is at the verge of retirement, it is for the petitioner to make a representation and the respondents shall consider the same depending on their administrative exigencies and as per law.

6. With the above observation and direction, this writ petition is disposed of. No costs. Consequently connected miscellaneous petition is also closed.

26.06.2024

Neutral Citation: Yes/No
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D.BHARATHA CHAKRAVARTHY, J.

dpq

To

The Principal Chief Conservator of Forests,
(Head of Forest Force)
Velachery Main Road, Guindy
Chennai 600 032.

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