

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.26646 of 2024
and W.M.P.Nos.29163 & 29164 of 2024

T.Karthi

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Coimbatore – 641 018.

2.The Sub Collector,
Office Sub-Collectorate,
Pollachi – 642 001.

3.The Personal Assistant to District Collector,
Collectorate,
Coimbatore – 641 018.

4.The Revenue Divisional Officer,
Officer of the Revenue Divisional Officer,
Coimbatore North,
Coimbatore 641 030.

5.The Tahsildar,
Coimbatore North Taluk Office,
Coimbatore – 641 018.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the record from 3rd Respondent's Proceedings vide Na.Ka.CLRREV.8267/2022/A4 dated 02.07.2024 pertaining to transfer order of the petitioner and quash the same consequently to direct the 3rd respondent, to consider the petitioner's representation dated 31.08.2024 to give transfer from 2nd respondent's office to 5th Respondent's office.

For Petitioner : Mr.P.Saravanan

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned proceedings of the 3rd respondent dated 02.07.2024, wherein, the petitioner has been transferred from Coimbatore to Pollachi.

2.Heard Mr.P.Saravanan, learned counsel appearing on behalf of the petitioner and Mrs.V.Yamuna Devi, learned Special Government Pleader appearing on behalf of the respondents.

3.The petitioner was working as a Record Clerk in the office of the 1st respondent. An article was published in a newspaper which resulted in the issuance of summons to

the petitioner and another person who was working as a Driver in the office of the 4th respondent. The petitioner also gave his explanation and thereafter, no enquiry was conducted.

4.The grievance of the petitioner is that the 3rd respondent through proceedings dated 02.07.2024, transferred the petitioner from the office of the 5th respondent to the office of the 2nd respondent. According to the petitioner, the transfer is punitive in nature and therefore, the same is liable to be interfered by this Court.

5.In the considered view of this Court, the transfer in this case is a routine transfer which need not be interfered by this Court. The petitioner has to necessarily comply with the order of transfer and join in the office of the 2nd respondent immediately. The petitioner has already made a representation dated 30.08.2024, requesting the 1st respondent to retain the petitioner in the same office. This representation cannot be considered without the petitioner first complying with the order of transfer. Therefore, the petitioner shall report in the office of the 2nd respondent, within a period of one week from the date of receipt of copy of this order. After reporting in the office of the 2nd respondent, the petitioner shall continue to work there and he can make a representation to the 1st respondent seeking for retaining him in the original place. On such

representation, the 1st respondent shall take a decision on its own merits and in accordance with law, within a period of six weeks from the date of receipt of the representation from the petitioner.

6.This writ petition is disposed of with the above directions. No Costs.
Consequently, connected miscellaneous petitions are closed.

12.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

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N. ANAND VENKATESH, J.

SSR

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