



WEB COPY



W.P.No.32352 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2024

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.32352 of 2023 and
W.M.P.Nos.31973 & 31974 of 2023

N.Malliga

... Petitioner

-Vs-

1.The Agricultural Commissioner,
Agricultural Directorate,
Chennai.5.

2.The Director,
Agricultural Business and Agricultural Marketing,
Guindy, Chennai-32.

3.The Agricultural Joint Director,
Collectorate, Namakkal.

4.The Agricultural Deputy Director (Agricultural Marketing),
Collectorate, Namakkal.

5.The Agricultural Assistant Director,
O/o.Agricultural Assistant Director Office,
Mohanur,
Namakkal.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India praying



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for the issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 1st respondent relating to the issue of impugned order No.VE A NI 1/89568/2022-2 dated 27.10.2023 passed by the 1st respondent and quash the same and consequently direct the 1st respondent to allow the petitioner to continue to work at Agricultural Deputy Director Office, Uzhavar Sandhai (Agricultural Marketing), Namakkal.

For Petitioner : Mr.C.Ayyapparaj for
Mr.G.Mutharasu

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order dated 27.10.2023 passed by the first respondent thereby transferred the petitioner to Agricultural Assistant Director Office, Mohanur, Namakkal

2. The petitioner was initially appointed as Assistant Agricultural Officer on 20.10.1986 at Krishnagiri District. Thereafter, she was promoted as Deputy Agricultural Officer in Agricultural Marketing Department in Cheyyar Uzhavar Sandhai, Thiruvannamalai District till 2019. The petitioner is suffering from Cerebral Thrombosis from 2005 and she is also taking treatment. Therefore, she could not travel more than five kilometers. Therefore, she was posted to the



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office work in Namakkal, Uzhavar Sandhai (Agricultural Marketing) as Deputy Agricultural Officer in 2019 by the 1st respondent. Hence, the petitioner submitted representation under medical grounds through proper channel to 2nd respondent seeking permission to continue in the same work at Uzhavar Sandhai (Agricultural Marketing), Namakkal. However, the first respondent passed order thereby transferred the petitioner to Agricultural Assistant Director Office, Mohanur, Namakkal which is a field work post. Considering the health condition of the petitioner, this court by way of interim order dated 21.12.2023, directed the first respondent to consider the case of the petitioner as special one and identify whether any desk job is available within the District preferably.

3. The learned counsel for the Respondent submitted that no vacancy is available in the same district under the said post. However, one person is going to retire in the Kulthalai, Karur District in the month of February 2024.

4. Considering, the above circumstances, the first respondent is directed to accommodate the petitioner in the Uzhavar Santhai (Agricultural Marketing),



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Kulithalai, Karur District on arising vacancy due to retirement of another person

5. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

06.02.2024

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
gvn



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