



WP(MD) No.3846 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.3846 of 2024

and

WMP(MD)No.3735 of 2024

N.Iyyappan

.. Petitioner

Vs.

1.The Director of Municipal Administration,
O/o.The Director of Municipal Administration,
Chennai- 600 004.

2.The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram District.

3.The Commissioner,
Gudalur Municipality,
Theni.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the order passed by the 1st respondent in Na.Ka.No.986/2023/K2 dated 08.02.2024 and quash the same as it is illegal and unwarranted.



WP(MD) No.3846 of 2024

WEB COPY

For Petitioner : Mr.K.Vijayanand

For Respondents : Mr.M.Lingadurai,
Special Government Pleader
for R1

: Mr.K.Saravanan
for R2 & R3

ORDER

The petitioner filed this writ petition seeking to quash the order passed by the 1st respondent in Na.Ka.No.986/2023/K2 dated 08.02.2024.

2. Heard Mr.K.Vijayanand, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the first respondent and Mr.K.Saravanan, learned counsel appearing for the respondents 2 & 3.

3. By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.



WP(MD) No.3846 of 2024

WEB COPY

4. The petitioner was aggrieved to the transfer order dated 08.02.2024 by which the petitioner has been transferred from Ramanathapuram Municipality to Gudalur Municipality for administrative reasons.

5. Mr.K.Vijayanand, learned counsel appearing for the petitioner submitted that the petitioner has rendered unblemished service. However, in the impugned order there is a reference about the proceedings of the Director of the Vigilance and Anti Corruption Department.

6. Mr.M.Lingadurai, learned Special Government Pleader appearing for the first respondent submitted that surprise inspection was conducted on 08.11.2023 and the petitioner has found possession of Rs.14,000/- for which no satisfactory explanation has been given.

7. However, it is learnt that no vigilance action has been taken against the petitioner so far. The learned counsel for the petitioner has submitted that the petitioner is suffering from certain serious health condition. Considering the



WP(MD) No.3846 of 2024

WEB COPY

same, the petitioner is directed to submit a representation to the respondents requesting transfer. On receipt of the same, the first respondent shall consider the same on sympathetic ground and pass orders within a period of four weeks from the date of receipt of the representation.

7. With the above direction, this writ petition is **disposed of**. No Costs.
Consequently, connected miscellaneous petition is closed.

01.04.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PJL

To
1.The Director of Municipal Administration,
O/o.The Director of Municipal Administration,
Chennai- 600 004.

2.The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram District.



WP(MD) No.3846 of 2024

WEB COPY

3.The Commissioner,
Gudalur Municipality,
Theni.



WEB COPY



WP(MD) No.3846 of 2024

R.N.MANJULA, J.

PJL

W.P.(MD)No.3846 of 2024
and
WMP(MD)No.3735 of 2024

01.04.2024