



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.6160 of 2024

and

W.M.P(MD)Nos.5776, 5777 &17172 of 2024

Velmurugan

... Petitioner

Vs.

1.The Director,
Municipal Administration,
Administrative Block,
74, Santhome High Road,
Chennai – 600 023.

2.The Commissioner,
Chinnamanur Municipality,
Theni District.

... 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 of the impugned transfer order in Na.Ka.No.1/2024/H3, dated 22.02.2024 on the file of the 1st respondent and quash the same as illegal and unconstitutional and consequently allow the petitioner to continue to work at Chinnamanur Municipality.

For Petitioner : Mr.V.Malaiyendran

For Respondents : Mr.S.Shaji Bino
Special Government Pleader for R1
M/s.Hema Karthikeyan
Standing Counsel for R2



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ORDER

The instant writ petition has been filed by a Sanitary Inspector working in the Chinnamanur Municipality, challenging his order of transfer to Nelliyalam Municipality located in Nilgris District.

2.It could be seen from the typed set of papers that the petitioner was originally appointed as a Sanitary Inspector at Manali, Thiruvallur District on 13.03.2008. Later, he was transferred from Manali to Dindigul District during 2012. Thereafter, the petitioner was transferred from Dindigul Municipality to Pudhukottai on 27.03.2013.

3.On 30.04.2015, the petitioner was transferred from Pudukottai to Palani Municipality. Thereafter, the petitioner was transferred to Coodalore Municipality, Nilgiris District on 23.05.2023. Again the petitioner has been transferred to Attur Municipality in Salem District on 19.08.2023.

4.On 05.01.2024, the petitioner was transferred from Attur Municipality to Chinnamanur Municipality. Under the impugned order dated 22.02.2024, the petitioner has been transferred from Chinnamanur Municipality to Nelliyalam Municipality in Nilgris district. The above referred dates and events will clearly



indicates that the petitioner has been transferred within a period of 20 days from Chinnamanur Municipality and the petitioner has been transferred twice in the year 2023 as well as in the year 2024. Though administrative reasons are stated in the impugned order of transfer, it has not been explained why the petitioner has been transferred frequently. The counter also does not reflect any allegations as against the writ petitioner. Further, it could be seen that to the transferred post of the writ petitioner, no one is posted to Chinnamanur Municipality.

5. In view of the above said facts, the order impugned in the present writ petition is hereby set aside and the writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are also closed.

06.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR

To

The Director,
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R.VIJAYAKUMAR, J.

RJR

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