



WP(MD). No.13204 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 20/06/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

**WP(MD). No.13204 of 2024 and
WMP(MD) Nos.11686, 11687 and 11689 of 2024**

Muthukutty K

... Petitioner

Vs

1. The Inspector of Panchayats,
Cum District Collector,
Tirunelveli District,
Tirunelveli..

2. The Block Development Officer, (VP)
Palayamkottai Panchayat Union,
Tirunelveli District..

3. Reddiarpatti Panchayat,
Represented Through its President,
Palayamkottai Panchayat Union,
Tirunelveli District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for records on the file of the 1st respondent in connection with the impugned order of transfer in his proceedings in Na.Ka. No. Nga12/1349111/2023 dated 13.06.2024 and quash the same as illegal and arbitrary.



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For Petitioner : Mr.G.Thalaimuthurasu
For Respondent : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

The petitioner has filed this writ petition challenging the impugned order of the 1st respondent dated 13.06.2024.

2. Heard Mr.G.Thalaimutharasu, learned counsel for the petitioner and the learned Government Advocate for the respondents.

3. By consent, the writ petition itself is taken up for final disposal.

4. The petitioner is working as Panchayat Secretary in the respondent Department. While so, the impugned order of transfer has been passed on 13.06.2024 thereby transferring the petitioner from the third respondent to Kuppakurichi Panchayat, Manur Panchayat Union. The impugned order has been challenged on the ground that when the petitioner, who was working as Panchayat Secretary, the appropriate authority to issue the transfer order is the District Collector.



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5. As per the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) 2013, any transfer within the block can be made by the Block Development Officer of the Panchayat Union. However, if it is between two Village Panchayats, the Personal Assistant to the District Collector is the competent person to issue the transfer order.

6. The learned counsel for the petitioner submitted that the first respondent, who is the supervisory authority and hence the transfer order is per se illegal. Since the competent authority to issue the transfer order is the Personal Assistant to the District Collector, the transfer order is liable to be interfered with.

7. However, the learned Government Advocate submitted that the order of transfer has been attested by the Personal Assistant to District Collector and hence, submitted that it is a valid transfer order.

8. It is seen from the impugned order that the Personal Assistant to the District Collector has signed the order and the proceedings has been issued by the first respondent. Since the order has been issued by a



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competent officer, I do not find any reason to interfere with the impugned order. Accordingly, the writ petition is dismissed. No costs.

Consequently connected Miscellaneous Petitions are closed.

20.06.2024

RR

TO

1. The Inspector of Panchayats Cum District Collector,
Tirunelveli District, Tirunelveli..
2. The Block Development Officer,
Palayamkottai Panchayat Union,
Tirunelveli District..



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R.N.MANJULA,J

RR

**ORDER
IN
WP(MD) No.13204 of 2024**

Date : 20/06/2024