



W.P.(MD).No.14023 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.14023 of 2024

and

W.M.P.(MD).Nos.12293 and 12294 of 2024

B.Jabaz

...Petitioner

Vs

1.The Principal Chief Conservator of Forests,
(Head of Department), Forest Head Quarters,
Guindy-Velachery Main Road,
Guindy, Chennai – 600 032.

2.The Chief Conservator of Forests (Research),
State Forest Research Institute,
Kelapakkam,
Chennai – 600 127.

3.The Principal,
Tamil Nadu Forestry Training College,
Vaigai Dam,
Theni District – 625 562.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the second respondent in SO No. 15/2024/E dated 18.06.2024 transferring the petitioner from the present station to Pollachi, Coimbatore, quash the



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same and consequently forbearing the respondents herein from in any manner interfering with the service of petitioner in the present station following the guidelines issued in the Circular issued by the first respondent in Ref.No. B2/722/2024 dated 14.6.2024 for transfer of Forest Range Officers.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard Mr.K.Appadurai, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader for the respondents.

2. This Writ Petition has been filed seeking to quash the order of the second respondent dated 18.06.2024 transferring the petitioner from the present station to Pollachi, Coimbatore District and consequently, forbearing the respondents herein from in any manner interfering with the service of petitioner in the present station following the guidelines issued in the Circular issued by the first respondent in Ref.No.B2/722/2024 dated 14.6.2024 for transfer of Forest Range Officers.



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3. The petitioner who is working as Forest Range Officer has been transferred to Coimbatore from Theni. In the impugned transfer order, it is shown that it is a request transfer. However, the learned counsel for the petitioner submitted that the petitioner has not requested to be transferred to Coimbatore. But in his request, he has given places of his choice like Ramnad Wildlife Division, Chennai Wildlife Division, Megamalai Wildlife Division. Even in the request, the petitioner had given options not relating to any of the specified places.

4. However, it is stated that the petitioner has requested transfer for undergoing treatment for his heart ailment.

5. As the options and purpose appear to be unreasonable, the respondents seem to have posted the petitioner to Pollachi. As the petitioner has requested transfer on health grounds, he had been conveniently placed in the district of Coimbatore.

6. But when a transfer is on request by giving choices, the feasibility should be considered with an idea of either placing the person



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in the places of his choice or to retain him. In the instant case, the petitioner has been transferred to Pollachi which was not his option.

7. However, the petitioner has joined in the new post and his successor has assumed charge at his earlier place. Hence, the petitioner can renew his request to accommodate him in any one place of his convenience within a period of two weeks from the date of receipt of a copy of this order. On such request, the respondents shall consider and pass orders within a period of four weeks therefrom.

8. With the above observations, this Writ Petition is **disposed of**.
No costs. Consequently, connected miscellaneous petitions are closed.

02.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:

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R.N.MANJULA, J.

Nsr

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