



W.P.(MD).No.16462 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.16462 of 2022

and

W.M.P(MD) Nos.11891 and 11892 of 2022

A.Sulthana Begum
Village Administrative Office,
D.Panjampatti,
Dindigul East Circle,
Dindigul District.

... Petitioner

Vs.

1. The Commissioner of Revenue Administration,
Revenue Administration and
Disaster Management Department,
Ezhilagam, Chepuak,
Chennai – 600 005.
2. The District Collector,
Office of the District Collector,
Dindigul District,
Dindigul.
3. The Personal Assistant to District Collector,
Office of the District Collector,
Dindigul District,
Dindigul.



W.P.(MD).No.16462 of 2022

4. The Tahsildar,
Dindigul East,
Dindigul.

... 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 passed by the third respondent vide his proceedings in Na.Ka.No.17665/2020/B1, dated 20.05.2022 and quash the same as illegal and consequentially to direct the respondents to allow the petitioner to apply for transfer on mutual consent.

For Petitioner : Mr.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

The instant writ petition has been filed by a Village Administrative Officer, seeking to quash the order dated 20.05.2022, wherein her request for mutual transfer from Dindigul District to Madurai District, has been rejected.

2. The petitioner herein was originally appointed as a Village Administrative Officer in Tiruppur District by way of proceedings dated



W.P.(MD).No.16462 of 2022

WEB COPY

06.07.2012. The petitioner got one way transfer from Tiruppur District to Dindigul District. At the time of transfer, the petitioner has given an undertaking that she would not seek any further transfer from Dindigul District. The said undertaking was also recorded in the order of transfer.

3. The petitioner herein, in view of the certain medical conditions and in view of the fact that she is a destitute widow, wanted to be transferred to Madurai District to reside along with her son. She gave a representation to the authorities seeking transfer from Dindigul District to Madurai District, intimating that another Village Administrative Officer from Madurai District is willing to get accommodated in Dindigul District. However, the said request has been rejected under the impugned order citing the undertaking given by the writ petitioner while seeking the benefits under the previous transfer order.

4. According to the learned counsel appearing for the writ petitioner, the said undertaking was given in the year 2012 and thereafter, considering the family circumstances, she being a destitute widow, she would like to settle along with her son in Madurai District.



W.P.(MD).No.16462 of 2022

WEB COPY

5. Per contra, the learned Additional Government Pleader appearing for the respondents by relying upon the counter contended that the petitioner cannot time and again seek transfer order from one District to another District, especially in violation of undertaking given by her for getting transfer from Tiruppur to Dindigul District.

6. I have carefully considered the submissions made by the learned counsel on either side and perused the materials available on record.

7. The petitioner got transferred herself from Tiruppur District to Dindigul District by way of one way transfer, after giving an undertaking that she would not request for any further transfer. The present request by the writ petitioner is for a mutual transfer to Madurai District indicating the fact that another Village Administrative Officer from Madurai District is willing to get transferred to Dindigul District. Therefore, any undertaking given by the writ petitioner, for one way transfer cannot be a legal impediment for considering the request of the petitioner for a mutual transfer. It is further seen that the petitioner is a destitute widow and she would like to settle with her son in Madurai District.



W.P.(MD).No.16462 of 2022

WEB COPY

8. Considering the above said facts, the order impugned in the writ petition is set aside and the third respondent is directed to consider the request transfer of the petitioner for mutual transfer and pass orders accordingly, within a period of eight weeks from the date of receipt of a copy of this order.

9. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

30.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



W.P.(MD).No.16462 of 2022

WEB COPY

To

1. The Commissioner of Revenue Administration,
Revenue Administration and
Disaster Management Department,
Ezhilagam, Chepuak,
Chennai – 600 005.
2. The District Collector,
Office of the District Collector,
Dindigul District,
Dindigul.
3. The Personal Assistant to District Collector,
Office of the District Collector,
Dindigul District,
Dindigul.
4. The Tahsildar,
Dindigul East,
Dindigul.



WEB COPY



W.P.(MD).No.16462 of 2022

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)No.16462 of 2022

30.08.2024



WEB COPY



W.P.(MD).No.16462 of 2022