WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20633 of 2024
and
W.M.P(MD)Nos.17489 to 17491 of 2024

Y.Albert Raj ... Petitioner

Vs.

1.The Director,
Fire Service & Rescue Department,
Egmore, Chennai – 600 0080

2.The Deputy Director,
Fire Service & Rescue Department,
Tirunelveli District.

3.The District Office,
Fire Service & Rescue Department,
Tirunelveli District. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, to call for the records of the Impugned Order in Moo.Mu.No.12892/E3/2024 dated 09.08.2024 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

* * * * *

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

The instant writ petition has been filed by a Driver working in the Fire Service & Rescue Department, challenging the order of his transfer from Tirunelveli to Ramnad.

2.The petitioner was earlier transferred from Tirunelveli to Kothagiri, Nilgiri District. The said order was challenged by him in W.P(MD)No.14187 of 2024, this Court by an order dated 01.07.2024 has passed the following order. Paragraph 9 is extracted is extracted as follows:-

> *"In view of the aforesaid observations, the petitioner shall be accommodated in the same place or anywhere in and around the same district. However, if at all the respondents consider that transferring the petitioner from the present place is inevitable, the respondents shall pass orders accommodating the petitioner in the same place or anywhere in and around the same district within a period of two weeks from the date of receipt of a copy of this order. Until then, the petitioner shall not be disturbed in the place where he is working."*

3.According to the learned Counsel appearing for the writ petitioner, instead of accommodating him in the same district, the present impugned order

https://www.mhc.tn.gov.in/judis

WEB COPY

has been passed transferring him to Ramnad. He has further contended that in another vacancy, which arose from Tirunelveli District, a third party has been accommodated.

4.This Court is of the view that if the petitioner feels that the order of this Court dated 01.07.2024 has been violated by the respondent department, it is open to the petitioner to initiate proceedings. This Court does not find any reason to interfere in the present order.

5.With the above said observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

30.08.2024

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

RJR

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1.The Director,
Fire Service & Rescue Department,
Egmore, Chennai – 600 0080

2.The Deputy Director,
Fire Service & Rescue Department,
Tirunelveli District.

3.The District Office,
Fire Service & Rescue Department,
Tirunelveli District.

https://www.mhc.tn.gov.in/judis

WEB COPY

R.VIJAYAKUMAR, J.

RJR

W.P.(MD)No.20633 of 2024
and
W.M.P(MD)Nos.17489 to 17491 of 2024

30.08.2024

https://www.mhc.tn.gov.in/judis