



W.P(MD)No.20507 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20507 of 2024

and

W.M.P(MD)Nos.17406 to 17408 of 2024

R.Arulraj

... Petitioner

Vs.

1.The Additional Chief Secretary to Government/
Commissioner of Revenue Administration,
Department of Revenue and Disaster Management,
Secretariat, St. George Fort,
Chennai - 9.

2.The District Collector,
Sivagangai District.

3.The District Revenue Officer,
Sivagangai District.

4.The Revenue Divisional Officer,
Devekottai,
Sivagangai District.

5.Mrs.Arockiya Selvi,
Village Administrative Officer,
Pallathur Group,
Sivagangai District.

... Respondents



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PRAYER: 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 pertaining to the impugned Order in Moo.Mu.A2/3303/2024, dated 22.08.2024 on the file of the Respondent No.4 and quash the same as illegal in so far as the petitioner is concern and consequently for a direction directing the Respondent No.4 to reconduct the general transfer counselling for the post of Village Administrative Officers, Karaikudi Taluk in accordance with Government Order in G.O.Ms.No.515, Revenue (Service – 7(1)) Department, dated 25.08.2008 issued by the Respondent No.1 and transfer the Petitioner to the post of Village Administrative Officer considering the seniority of the petitioner at Kalanivasal 'A' Village, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.T.Aswin Raja Simman
for T.Lajapathi Roy, Senior Counsel

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by
Mr.S.S.Madhavan,
Government Advocate for R1 to R4

* * * * *

ORDER

The instant writ petition has been filed by a Village Administrative Officer, challenging the order of transfer from 'A' village to 'B' village on the ground that he should have been accommodated in 'A' village, in view of G.O.Ms.No.515, Revenue (Service-7(1), Department, dated 25.08.2008.



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2.The learned Additional Advocate General appearing for the respondent herein pointed out that as per clause No.'G' of the Government order, when the Government servant has been imposed with punishment, he would not be entitled to seek the benefits of the said Government order.

3.He further relied upon the order of the District Revenue Officer, Sivagangai, dated 17.05.2022, wherein the punishment has been imposed upon the writ petitioner and contended that therefore, the petitioner is not eligible to the benefits under the above said Government order to be transferred to 'A' village.

4.In view of the above said facts, there are no merits in the writ petition and the same is dismissed with liberty to the writ petitioner to participate in the subsequent counselling proceedings after the punishment period is over.

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

30.08.2024

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



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R.VIJAYAKUMAR, J.

RJR

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