



W.A.(MD)No.2503 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.A.(MD)No.2503 of 2024

and

C.M.P.(MD)Nos.17581 & 17582 of 2024

S.Selvakumar

: Appellant

Vs.

1.M.Sangeetha

2.The Director of Agriculture,
Agriculture Department,
Chepauk,
Chennai District.

3.The Joint Director of Agriculture,
Agriculture Department,
Trichy District.

4.The Joint Director of Agriculture,
Agriculture Department,
Pudukkottai District.



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5.The Assistant Director of Agriculture,
Agricultural Department,
Musiri,
Trichy District.

6.The Assistant Director of Agriculture,
Agricultural Department,
Aranthangi,
Pudukkottai District.

: Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent,
praying to praying to allow this Writ Appeal preferred against
order dated in W.P.(MD)No.24797 of 2024 dated 19.11.2024, on the
file of the Madurai Bench of Madras High Court.

For Appellant : Mrs.A.L.Ganthimathi
Senior Counsel
for Mr.S.Bala Karthick

For Respondents 2 to 6 : Mr.S.Shaji Bino
Special Government Pleader

JUDGMENT

[Judgment of the Court was delivered by **M.S.RAMESH, J.**]

Challenge is made to the order of the learned Single
Judge dated 19.11.2024 in W.P.(MD)No.24797 of 2024.



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2.Before the Writ Court, the cancellation of the transfer order of the first respondent herein from Aranthangi to Musiri was put under challenge by the first respondent herein. The Writ Court by its order dated 19.11.2024, had set aside the order of transfer and permitted the first respondent herein to continue work at Musiri itself.

3.The appellant who was transferred to the place of the first respondent herein claimed that he was not relieved from Musiri and therefore, sought for interference to the order of transfer on several grounds. However, the learned Special Government Pleader, on instructions reported that the first respondent herein had already joined at Musiri on the afternoon of 05.12.2024 itself. Insofar as the relieving order of the appellant herein is concerned, when it was initially served on the appellant, it is claimed that he had refused to receive it. However, the relieving order was thereafter served on the appellant through post, which fact is also admitted by the learned Senior Counsel appearing for the appellant. In view of these developments, no interference may be required to the transfer order of both the appellant, as well as the first respondent herein.



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4.At this juncture, the learned Senior Counsel appearing for the appellant would submit that the appellant's mother is an aged person and the appellant alone has the responsibility of taking care of her, as well as his differently-abled brother. She also made an earnest request that since the appellant's children are studying at Trichy, it would be difficult for him to shift his family to Pudukkottai, which is about 8 hours of travel. In the light of the appellant's family status, learned Senior Counsel made a sympathetic plea to direct the respondents to consider the appellant's request.

5.We have taken into consideration the appellants family status with regard to his aged mother as well as differently-abled brother and both of whom, are being taken care of by the appellant. In this situation, we call upon the respondents to sympathetically consider the petitioner's request for re-transfer, or a transfer to any place which is closer to his place of residence.

6.In the light of these observations, the appellant is granted liberty to make an appropriate application before the second respondent herein, expressing his request for re-transfer and on receipt of the same, the second respondent shall consider it,



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in the light of the observations made in this order and take appropriate course of action, atleast within a period of four [4] weeks from the date of receipt of a copy of this order.

7. Accordingly, the Writ Appeal stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[M.S.R.,J.] & [A.D.M.C.,J.]

12.12.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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Pudukkottai District.
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and
A.D.MARIA CLETE, J.

MR

JUDGMENT MADE IN
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