



W.P.(MD).No.18821 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2025

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.18821 of 2024

and

W.M.P.(MD).Nos.15919 & 15921 of 2024

G.Annadurai

... Petitioner

Vs

1. The Director of Agriculture,
Agriculture Directorate,
Chepauk,
Chennai-600 005.

2. The Joint Director of Agriculture,
Ramanathapuram District.

3. The Assistant Director of Agriculture,
Nainarkovil,
Ramanathapuram District.

4. R.Kumaresan

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in No.VeANil/57570/2024-8 dated 23.07.2024 passed by the first respondent and to quash the same as illegal, arbitrary and consequently to direct the first respondent to consider the request of transfer made by the petitioner based on the representations dated 10.03.2023 & 15.05.2024.



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For Petitioner	: Mr.S.Ramanathan
For Respondent No.1 to 3	: Mr.A.Baskaran Additional Government Pleader
For Respondent No.4	: Mr.A.Sankararama Subramanian

ORDER

The instant writ petition has been filed by a Deputy Agricultural Officer, challenging the order of transfer granted in favour of the fourth respondent on the ground that it has been secured by producing fake certificate.

2. A perusal of the impugned transfer order in favour of the fourth respondent, dated 23.07.2024, shows that the fourth respondent has been transferred from Karungulam, Thoothukudi District to Alangulam, Tenkasi District based upon the certificate produced by the fourth respondent dated 06.06.2024, stating that his spouse is working at Arumuga Textile Exports in Pannaiyapuram, Kadaiyanallur, Tenkasi District.

3. According to the learned Counsel appearing for the writ petitioner, the certificate dated 06.06.2024, said to have been issued by the Arumuga Textile Exports is a fake document. He further relies upon another certificate issued by Arumuga Textile Exports on 22.08.2024 to the effect that the wife of the fourth



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respondent has never worked in the said concern and the experience certificate is a bogus one and it has been created by including the signature of the manager. Therefore, according to the learned Counsel appearing for the petitioner, the fourth respondent has secured the order of transfer under the spouse category relying upon a fake employment/experience certificate said to have been issued by a Arumuga Textile Exports.

4. The fourth respondent was served and represented through counsel. This Court by an order dated 06.01.2025, had directed the fourth respondent to produce the PF and ESI records of the concerned institution for the wife of fourth Respondent. On 19.12.2024, time was granted till 06.01.2025. Thereafter, the matter was adjourned to 20.01.2025 and again listed on 22.01.2025. Even after several adjournments, the fourth respondent has neither chosen to produce any document or filed a counter supporting the experience certificate said to have been issued by the Arumuga Textile Exports.

5. The learned Additional Government Pleader relied upon the counter filed by the second respondent and contended that they have given order of transfer in favour of the fourth respondent only relying upon the certificate said to have been issued by the Arumuga Textile Exports, as well as the



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G.O.Ms.No.1059, Personnel and Administrative Reforms Department dated 23.12.1980, wherein, there is a provision for granting transfer in favour of the government employee in a locality wherein his spouse is employed.

6. The facts narrated above clearly raises a suspicion with regard to the employment certificate produced by the fourth respondent to the first respondent herein on 06.06.2024 along with his application seeking transfer.

7. In such circumstances, this Court is constrained to direct the respondents 1 to 3 herein to conduct a proper enquiry to verify whether the experience certificate relied upon by the fourth respondent to seek transfer to Tenkasi District is fake one or genuine one. After conducting a preliminary enquiry, in case, if the official respondents found that it is a fake certificate, they are directed to initiate departmental action in accordance with law. In case, if they arrive at a finding that the transfer order is secured by fourth respondent through fake certificate, the official respondents are directed to consider the request of the petitioner for transfer to Alangulam, Tenkasi District. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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

22.01.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

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To

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2. The Joint Director of Agriculture,
Ramanathapuram District.
3. The Assistant Director of Agriculture,
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