

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the First day of June Two Thousand and Twenty One

PRESENT

The Hon'ble Mr.Justice T.S.SIVAGNANAM
and
The Hon'ble Mrs.Justice S.ANANTHI

WA(MD) No.957 of 2021
IN
CMP(MD) No.4312 of 2021

MUNUSAMY

...APPELLANT/PETITIONER

Vs

1 THE DIRECTOR
DEPARTMENT OF ANIMAL HUSBANDRY AND MEDICAL SERVICES,
CHENNAI.

2 THE ASSISTANT DIRECTOR,
DEPARTMENT OF ANIMAL HUSBANDRY,
RAMANATHAPURAM DISTRICT.

...RESPONDENTS/RESPONDENTS

Prayer in WA(MD) No.957 of 2021:

Writ Appeal filed under Clause 15 of the Letters Patent, pleaded to allow the Writ Appeal by set aside the order in WP(MD) No.11529 of 2018 dated 01.02.2021 on the file of this Hon'ble Court.

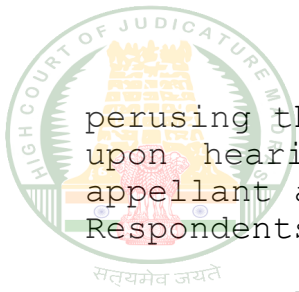
Prayer in CMP(MD) No.4312 of 2021 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue an interim stay on the further operations of the order in W.P(MD).No.11529 of 2018 dated 01-02-2021 on the file of this Hon'ble Court till the disposal of this WA(MD) No.957 of 2021.

Prayer in WP(MD) No.11529 of 2018:

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to callf or the records pertaining to the impugned order passed by the respondent no.1 in Na.Ka.No.10142/K2/2018 dated 03.05.2018 and quash the same and consequently permit the petitioner to continue his job at respondent No.2 office.

ORDER : This Appeal coming up for orders on this day, upon
<https://hcservices.ecourts.gov.in/hcservices/>



perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.M.A.JINNAH, Advocate for the appellant and of Mr.R.BASKARAN, Government Advocate on behalf of the Respondents, the Court made the following order:-

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[Order of the Court was made by **T.S. SIVAGNANAM, J.**]

Mr.R.Baskaran, learned Government Counsel accepts notice on behalf of the respondents.

2. The writ petition was filed challenging the order of transfer on the ground that it is initiated by *malafide* and punitive transfer, as the appellant has lodged the complaint against certain activities of the second respondent.

3. It is submitted that the said complaint was enquired by the second respondent himself, which ultimately lead to the transfer of the appellant. The writ petition was filed in the year 2018 and an order of interim stay was granted which was in force till the impugned order was passed dismissing the writ petition.

4. We are informed by the learned counsel for the appellant that the concerned Officer who was working as the Assistant Director in the Office of the second respondent has since been transferred.

5. Learned Government counsel is directed to get instructions as to the present position. Till a decision is taken in this appeal, the appellant be permitted to continue in the said post, in which, he is now working.

6. List the matter on **11.08.2021**.

sd/-
01/06/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE DIRECTOR
DEPARTMENT OF ANIMAL HUSBANDRY AND MEDICAL SERVICES,
CHENNAI.

2. THE ASSISTANT DIRECTOR,
DEPARTMENT OF ANIMAL HUSBANDRY,
RAMANATHAPURAM DISTRICT.

ORDER

IN

WA(MD) No.957 of 2021 IN

CMP(MD) No.4312 of 2021

Date :01/06/2021

PKN/KRK

SRS/VR/SAR-IV/03.06.2021/3P/3C