

**Premnarayan Gaur Vs. the State of Madhya Pradesh**

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**SooperKanoon Citation :** [sooperkanoon.com/1054104](http://sooperkanoon.com/1054104)

**Court :** Madhya Pradesh

**Decided On :** Sep-27-2012

**Appellant :** Premnarayan Gaur

**Respondent :** The State of Madhya Pradesh

**Advocate for Pet/Ap. :** Shri. Shakti Soni

**Judgement :**

W.P.No.16273/12 27/09/12 Shri Shakti Soni, learned counsel for the petitioner.

Shri S.S.Bisen, learned Govt.

Adv.for the State.

Petitioner is working as an 'Asstt.

Teacher' in Primary School Devriganj, Sankul Kendra Boys Excellence School, Gairatganj, Distt.

Raisen.

By the impugned order dated 13/07/12, petitioner has been transferred to Govt.

Primary School Baber in the same district of Raisen.

Challenge to the order of transfer is made mainly on the ground that petitioner has been entrusted with various work in the matter of registration of voters in the special drive and, therefore, the transfer is illegal.

Further, contending that the Tahsildar has recommended for not transferring the petitioner, interference into the matter is sought for.

If the transfer of the petitioner adversely affects the work of registration of voters, petitioner should communicate this fact to respondent No.2 the District Election Officer and it would be for the respondent No.2 to pass appropriate orders in the matter of transfer and posting of the petitioner.

That apart, with regard to representation of the petitioner and the recommendations made by the Tahsildar, it is for respondent No.3 to take a decision and pass orders with regard to transfer and posting of the petitioner.

On the grounds raised in this writ petition, as judicial review into an administrative order of transfer is not permissible, it is directed that on the petitioner's filing a certified copy of this order before the competent authority, the competent authority shall decide the representation of the petitioner in accordance with law within a period of four weeks thereof.

With the aforesaid, the petition stands disposed of.C.C.

as per rules.

(Rajendra Menon) Judge Vy/-

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