

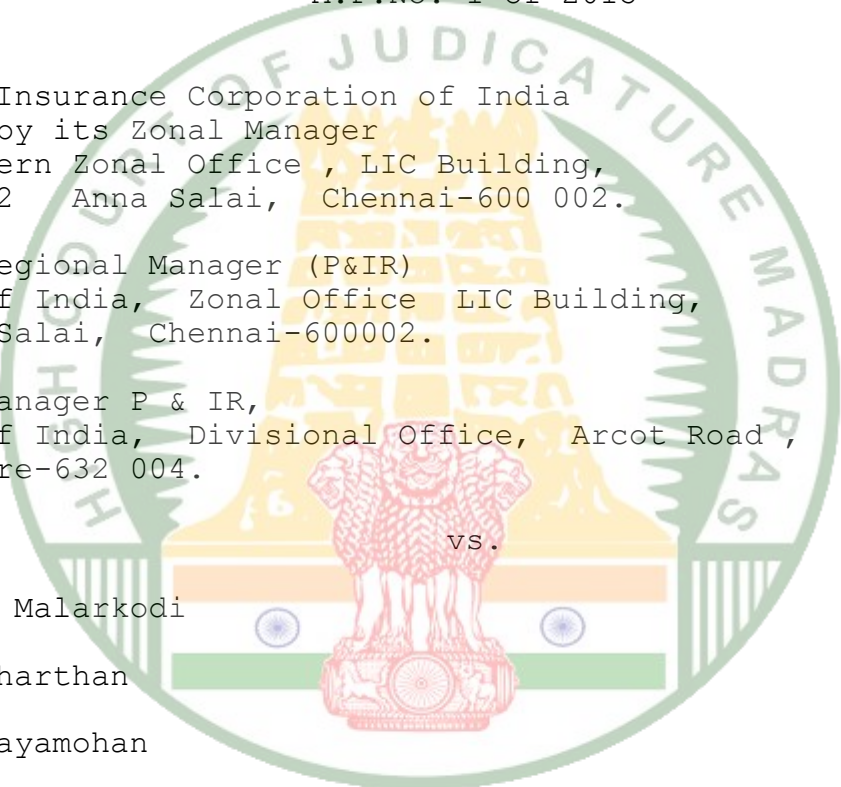
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.07.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A. No. 880 of 2015
and
M.P.No. 1 of 2015

- 
1. Life Insurance Corporation of India
Rep. by its Zonal Manager
Southern Zonal Office, LIC Building,
No.102 Anna Salai, Chennai-600 002.
2. The Regional Manager (P&IR)
LIC of India, Zonal Office LIC Building,
Anna Salai, Chennai-600002.
3. The Manager P & IR,
LIC of India, Divisional Office, Arcot Road,
Vellore-632 004. ... Appellants
- vs.
1. Mrs. K. Malarkodi
2. T. Sittharthan
3. Masil Jayamohan
4. V. Srinivasan ... Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 09.06.2015 made in M.P. No. 1 of 2015 in W.P.No. 28968 of 2015 against to vacate the interim stay granted on 06.11.2014 in M.P.No.2 of 2014.

For appellants : Mr. C.K. Chandrasekar

JUDGMENT

(Judgment of the Court was delivered by SATISH K. AGNIHOTRI, J.)

Assailing the interim order dated 09.06.2015 passed in M.P.No. 1 of 2015 in W.P. No. 28968 of 2015, the appellants have come up with this intra-Court appeal.

2. Learned counsel appearing for the appellants submits that the earlier transfer order dated 09.10.2013 was not given effect to on the ground that the transfer was made in the middle of the academic year. The authorities agreed for not giving effect to the transfer order on the basis of the submissions made by the first respondent/writ petitioner that if there is any subsequent transfer in the next session, she will be ready and willing to go on transfer to any place.

3. It is a trite law that the transfer is an incidence of service. As such, an employee cannot be posted at the place of his or her choice eternally.

4. The appellants have come up against the interim order staying the transfer order during the pendency of the main writ petition. At this stage, we are not inclined to interfere with the interim order passed by the learned single Judge. However, we make it clear that granting of interim stay is inconclusive, provisional and without prejudice to the parties' rights and contentions. The Registry is directed to list the main writ petition for final disposal at the earliest.

5. With the above observations, the writ appeal stands disposed of. Consequently connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

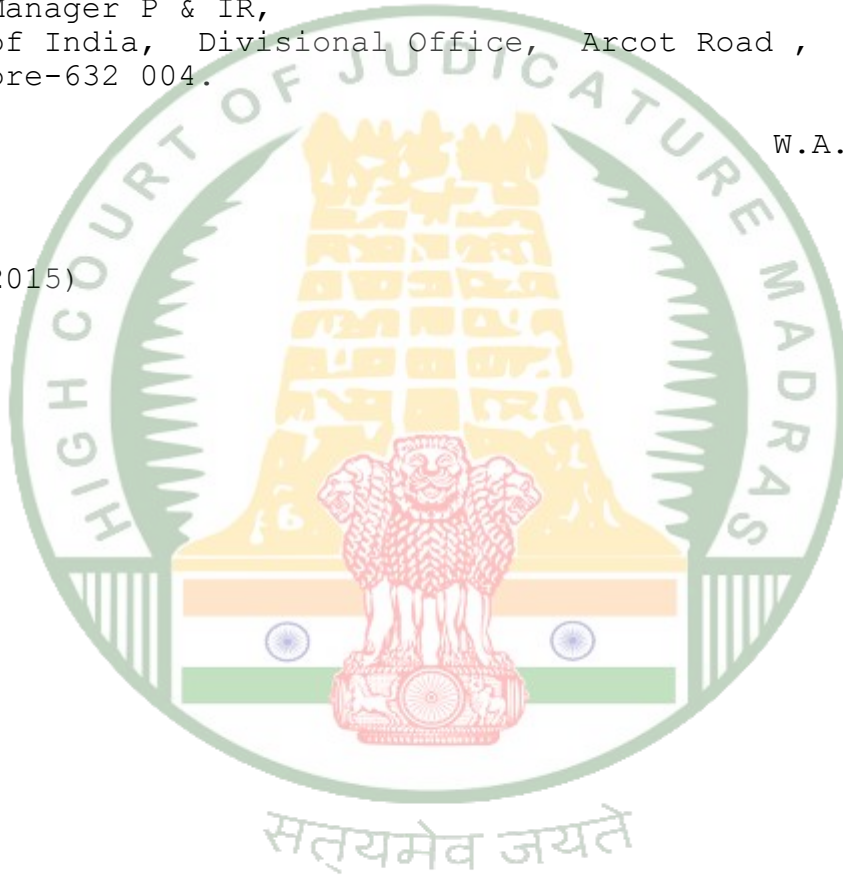
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To

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