

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.20851 of 2015

R.Ranjithkumar

...Petitioner

Vs.

The General Manager,
Tamil Nadu State Transport Corporation,
(Coimbatore) Limited,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

...Respondent

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorari, to call for the entire records relating to the impugned order dated 27.06.2015 passed by the respondent in proceedings 4286/E3A/52A/Pathul/Tha.A.Poka(ko)/15 and quash the same.

For Petitioner : Mr.L.Mouli

For Respondent : Mr.P.Kannan Kumar

ORDER

The petitioner is working as a Driver in the respondent Corporation. It is the case of the petitioner that earlier, by an order dated 06.05.2015, he was transferred from Mettupalayam I to Uppilipalayam Branch. Within two months, by the impugned order dated 27.06.2015, he is transferred from Uppilipalayam to Valparai Branch. Hence, the petitioner has come up with this writ petition.

2. The learned counsel for the petitioner would submit that the transfer order has been passed within two months of earlier transfer order and hence, the same is arbitrary and liable to be set aside.

3. Per contra, the learned Standing Counsel for the Corporation has strenuously contended that it is the prerogative of the Management to transfer an employee from one place to another place on administrative grounds and this Court would not normally

interfere with the same.

4. I have considered the submissions made by the learned counsel on either side.

5. Normally, this Court would hesitate to interfere with the order of transfer. In the present case, the petitioner was transferred within a period of two months. Now he is sought to be transferred to a hill area. Subjecting an employee to frequent transfer is not bonafide exercise of power.

6. In view of the above, the impugned order is liable to be set aside. Accordingly, the impugned order is set aside. The writ petition stands allowed. No costs. M.P.No.1 of 2015 is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

To

The General Manager,
Tamil Nadu State Transport Corporation,
(Coimbatore) Limited,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

1 CC to Mr.L.Mouli, Advocate SR.No. 35346

W.P.No.20851 of 2015

RJ (CO)

PSI (29.07.2015)

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