



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.05.2015

CORAM:

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

WEB COPY

W.P.(MD)No.8184 of 2015 and
M.P.(MD).No.1 of 2015

S. Sayeelakshmi

.. Petitioner

Vs.

1. The Registrar,
Tamil Nadu Agricultural University,
Office of the Registrar,
Coimbatore - 641 003.
2. The Professor and Head of the Department,
Non-plan, Department of Plant Breeding and Genetics,
Agricultural College and Research Institute,
Othakadai, Madurai District.

3. R. Dhanarajan

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned proceedings passed by the 1st respondent in his proceedings in No.A4/06262/2015 dated 04.05.2015 and quash the same as illegal in so far as the petitioner is concerned.

For Petitioner : Mr.C. Venkateshkumar

For Respondents 1 and 2 : Mr.A. Thirumoorthy

ORDER

The petitioner has filed this writ petition challenging the order dated 04.05.2015 which is an order of transfer of several officers and staff of the Tamil Nadu Agricultural University.

2. The petitioner has challenged the impugned order on two grounds. Firstly by contending that initially the petitioner was transferred to Chettinadu vide order dated 31.05.2011. Subsequently, on her request she was re-transferred to Madurai on 06.11.2012 and she has been working in Madurai and she should not be now shifted from Madurai. It appears that there was certain allegations against various other persons, which resulted in enquiry being conducted by high level officers of the respondent University and the enquiry committee after due deliberation and thorough enquiry submitted a report on 30.12.2014 and opined that for good and sufficient reasons, the



whole staff system including the technical officers Viz., Head of the Department, Professors, Assistant Professors, Non Technical staff persons on consolidated wages. PUSMs, MTSPs, Casual labours are to be shifted/transferred from the present positions/places so as to fulfill the objectives laid out by the Tamil Nadu Agricultural University or action be taken according to the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

3. Admittedly, no disciplinary action has been taken against the petitioner. From the report, there appears to be no specific allegation against the petitioner and on the date of verification also it appears that the petitioner was on Casual leave.

4. Thus, the impugned order of transfer, which has been passed for all the officers is a common order of transfer with a view to bring better administration of the institution. Therefore, no fault can be found in the impugned order for this Court to interfere with the same.

5. The learned counsel for the petitioner submitted that the petitioner is suffering from nervous problems and she is taking advance treatment at Madurai and she requires to be placed at Madurai and the purpose for re-transfer in 2012 itself is defeated if the impugned order of transfer is given effect to.

6. No doubt, the order of re-transfer was passed on 06.11.2012 and the petitioner has been functioning at Madurai till date. But the present impugned order of transfer has been passed with a view to bring better administration of the institution, which this Court is not inclined to interfere, more particularly, when there is no allegation of *mala fide*.

7. Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to submit a representation to the authorities for accommodate in Madurai or near Madurai after she joins at Kovilpatti. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

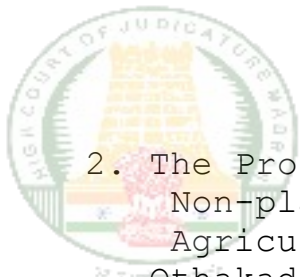
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Registrar,
Tamil Nadu Agricultural University,
Office of the Registrar,
Coimbatore - 641 003.



2. The Professor and Head of the Department,
Non-plan, Department of Plant Breeding and Genetics,
Agricultural College and Research Institute,
Othakadai, Madurai District.

WEB COPY

+1cc to Mr.Ajmal Associates, Advocate Sr.No. 25382
+1cc to Mr.A.Thirumurthy, Advocate Sr.No.25375
rj2/trp
AA/20.05.2015/3p - 5c/

Order made in
W.P.(MD)No.8184 of 2015 and
M.P.(MD) .No.1 of 2015
14.05.2015