

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date: 16.12.2016

Coram

The Honourable Mr.Justice K.K.SASIDHARAN
and
The Honourable Mr.Justice V.PARTHIBAN

W.P.No.34941 of 2012 &
M.P.No.1 of 2012

K.Hari .. Petitioner
Versus

1. The Union of India,
represented by
The General Manager,
Southern Railways,
Park Town,
Chennai-600 003.

2. The Senior Divisional Personnel Officer/MAS,
Southern Railways,
Park Town,
Chennai-600 003.

3. The Senior Divisional Commercial Manager,
Southern Railways,
Park Town,
Chennai-600 003.

4. Central Administrative Tribunal,
Madras Bench,
Chennai.

सत्यमेव जयते .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records pertaining to the order dated 27.11.2012 passed by the learned Central Administrative Tribunal, Madras Bench in O.A.No.1376 of 2012 and quash the same as unsustainable.

For Petitioner : No Appearance

For Respondents: Mr.S.M.Deenadayalan -R1 to R3

ORDER

(Order of the Court was delivered by
V.PARTHIBAN, J.)

This Writ Petition has been filed against the order dated 27.11.2012 passed in O.A. No.1376 of 2012 by the 4th respondent, Central Administrative Tribunal, (in short, the Tribunal), dismissing the application filed by the petitioner herein, challenging the order of transfer dated 11.10.2012.

2. The petitioner approached the learned Tribunal challenging the order of transfer dated 11.10.2012. While the petitioner was working as Chief Ticket Inspector in the Southern Railway, he was transferred from Egmore to Tambaram. According to the petitioner, within 50 days from the date of his promotion to the post of Chief Ticket Inspector on 17.8.2012, the transfer order came to be passed and the said transfer order was passed without any valid administrative reasons. The petitioner contended before the learned Tribunal that in spite of existence of vacancies, he was transferred and he belongs to SC community and as such, the transfer order was liable to be interfered with. However, taking note of the objections raised by the petitioner, the Tribunal held that none of the objections raised by the petitioner warrant interference while holding that the order of transfer should not be interfered with unless, there are grounds like mala fides, arbitrariness, etc. rendering the transfer order illegal. The learned Tribunal found that none of the grounds calling for interference in the matter of transfer, were raised by the petitioner and therefore, there was no legal grounds to interfere with the impugned order of transfer dated 11.10.2012 and in such view of the matter, the original application came to be dismissed.

3. Against the said order of the Tribunal, the present Writ Petition was filed. After perusing the order passed by the learned Tribunal and the records pertaining to the same, we do not find any merit in the Writ Petition and therefore, the order passed by the learned Tribunal does not call for any interference.

Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected MP is closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

suk

To:

1. The Union of India,
represented by
The General Manager,
Southern Railways,
Park Town,
Chennai-600 003.

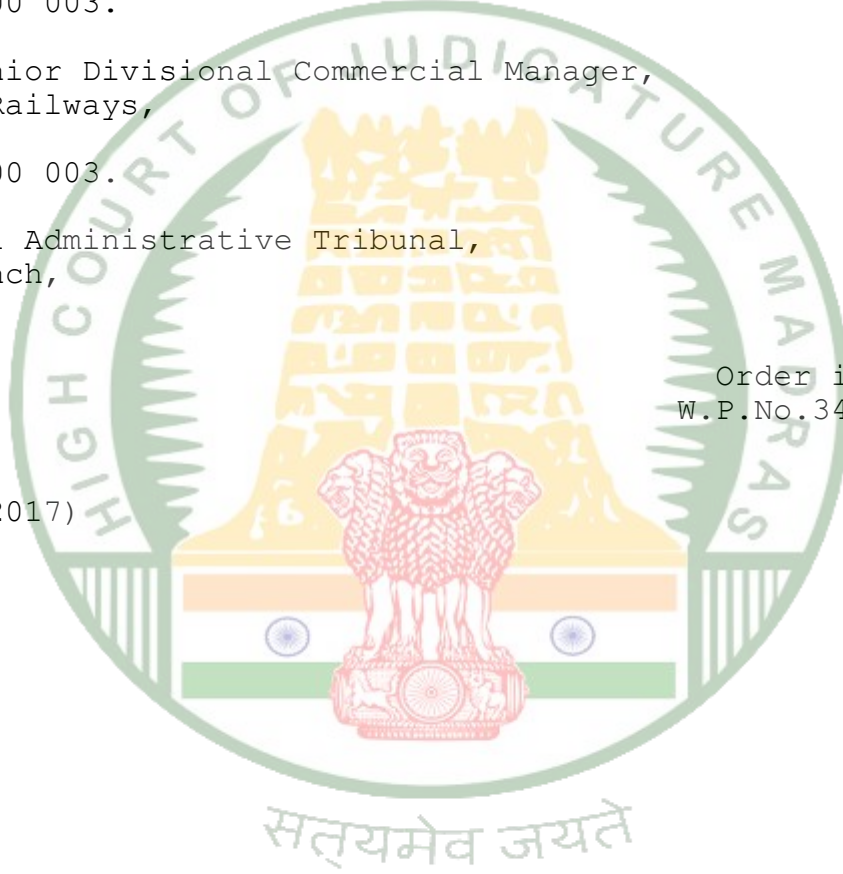
2. The Senior Divisional Personnel Officer/MAS,
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4. Central Administrative Tribunal,
Madras Bench,
Chennai.

Order in
W.P.No.34941 of 2012

eu(co)
ss(23/01/2017)



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