



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.02.2016

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.4128 of 2016

and

W.M.P(MD)No.3696 of 2016

P.V.Ramalingam

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd.,
TASMAC,
Trichy Region,
Trichy.

3.The District Manager,
Tamilnadu State Marketing
Corporation Limited(TASMAC),
Karur District,
Karur.

4.R.Sathyamoorthy

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the third respondent in his proceedings in Na.Ka.No.CV2/1643/2014, dated 23.02.2016 and quash the same and consequently direct the third respondent to permit the petitioner to continue in Shop No.5020 Reddiapalayam Road, Karur District.

For Petitioner	: Mr.B.Jameel Arasu
For R-1	: Mr.R.Anandaraj, Government Advocate
For R-2 & R-3	: Mr.M.Muniasamy

ORDER

<https://hcservices.mca.gov.in/hcservices> Mr.R.Anandaraj, learned Government Advocate takes notice for R-1 and Mr.M.Muniasamy, learned counsel takes notice for R-2 & R-3.



2. The petitioner, who is the Supervisor in Shop No.5020 at Reddiapalayam Road, Karur District, has now been transferred to Shop No.4933 at Bye-pass Road, Karur, which is 20 kms. away from the present shop. Challenging the said transfer, the petitioner has come up with the present Writ Petition.

3. It is the claim of the petitioner that he had been working in Shop No.5020 without any adverse remarks for all these years and he is the senior most Supervisor. The fourth respondent, who is now posted in the place of the petitioner on transfer is alleged to have criminal antecedents and misappropriated the amount due to the Corporation.

4. It is the case of the petitioner that the fourth respondent, who has got criminal background, cannot be transferred to Shop No.5020 as the said shop has got heavy turnover ie., above Rs.50,00,000/- per month. Hence, it is contended that only a Senior most Supervisor should be posted in that area.

5. Heard the submissions made by the learned counsel for the petitioner.

6. The impugned transfer is challenged by the petitioner only on the ground that a Senior Most person has to be posted in the said area as the said shop No.5020 is generating big revenue and the fourth respondent having criminal antecedents cannot be transferred to the said place. However, transfer order is passed due to administrative reason and the respondent Corporation can administratively transfer its employees to any place as long as the same is not illegal or arbitrary. Other than the reason that the fourth respondent is having criminal antecedents, the petitioner has not come up with valid grounds for challenging the transfer, which can also be taken that a Senior Most Supervisor like the petitioner, who could augment the revenue to Rs.50,00,000/-, is posted to the transferee shop for utilisation of his services. Therefore, the transfer cannot be challenged and hence, the Writ Petition is liable to be dismissed.

7. In the result, the Writ Petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(C.O Dept I/C)

/True Copy/



To

1.The District Collector,
Karur District,
Karur.

2.The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd.,
TASMAC,
Trichy Region,
Trichy.

3.The District Manager,
Tamilnadu State Marketing
Corporation Limited(TASMAC),
Karur District,
Karur.

+One cc to Mr.B.Jameel Arasu, Advocate, SR.No.11688

+One cc to The Special Government Pleader, SR.No.11659

pm

RL/6c/JGB/DP/8/3/2016

W.P(MD)No.4128 of 2016

29.02.2016