

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2017

CORAM:

THE HON'BLE MR.JUSTICE T. RAJA

W.P. No.5574 of 2017 and W.M.P. Nos.5931 & 5933 of 2017

B. Selvaraj

Petitioner

vs.

The Engineer-in-Chief
WRD & Chief Engineer (General)-PWD
Public Works Department
Chepauk, Chennai 600 005

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, calling for records of the respondent in Proceedings No.S3(1)/20300/2017 dated 24.02.2017 and quash the same.

For petitioner : Mr. N.A. Nissar Ahmed

For respondent : Mr. K. Thangapandi
Government Advocate

ORDER

Mr.K.Thangapandi, learned Government Advocate, accepts notice for the respondent.

2. This writ petition has been filed calling in question, the legality and validity of the order dated 24.02.2017 passed by the respondent, whereby and whereunder, the petitioner has been transferred within the same Chennai city only, viz., from the Ground Water Division of the Public Works Department, Taramani, Chennai, to the office of the Chief Architect, Public Works Department, Chepauk, Chennai.

3. Even according to the petitioner, the distance between Taramani and Chennai is about 15 kms. only.

4. When it is a settled legal position that transfer is not only a condition of service, but also, an incidence of service and every Government servant is liable to be transferred anywhere within the State, this Court is of the considered view that the petitioner ought not to have filed this writ petition assailing the correctness of the transfer order, as he is transferred within this Chennai City.

Ergo, this writ petition is liable to be dismissed as being devoid of merits and is accordingly dismissed. Costs made easy. Connected W.M.Ps. are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

cad

To

The Engineer-in-Chief
WRD & Chief Engineer (General)-PWD
Public Works Department
Chepauk
Chennai 600 005

+1 CC to Mr. N.A. Nissar Ahmed, Advocate Sr.No.14361

+1 CC to Government Pleader, High Court, Chennai Sr.No.14734

सत्यमेव जयते

W.P. No.5574 of 2017

NR(CO)
KP(17.03.2017)

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