

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.12427 of 2017
and WMP.No.13189 of 2017

R.Sathees Kumar

.. Petitioner

Vs.

1. The Labour Inspector,
Office of the Labour Inspector,
Erode 638 001.
 2. The General Manager,
Tamilnadu State Transport Corporation (Coimbatore) Ltd.,
Erode Division, Chennimalai Road,
Erode 638 102.
 3. The Branch Manager,
Tamilnadu State Transport Corporation Ltd.,
Bhavani Branch 641 301.
 4. The branch Manager,
Tamilnadu State Transport Corporation Ltd.,
Karur Branch
- .. 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 from the 2nd respondent, pertaining to impugned transfer order of 2nd respondent's proceedings Paa.No.752/P2/Papil/tha.a.po.ka(Ko)/e.m/17 dated 22.04.2017 and quash the same and consequently direct the respondents to permit the petitioner to work as Driver at 3rd Respondent's Office.

For Petitioner : Mr.P.Saravanan

For R1 : Mr.A.Zakir Hussain
Government Advocate.

For R2 to R4 : Mr.A.Antony Arokiaraja

O R D E R

The order of the transfer issued by the second respondent in proceedings dated 22nd April 2017 is in challenge in this writ petition.

2. The learned counsel appearing for the petitioner contended that the writ petitioner was appointed as a casual driver in Tamil Nadu State Transport Corporation Limited and is attached with Bhavani Branch. Now through the transfer order, he was transferred to Karur Branch, which is about 80 kms from Bhavani.

3. On perusal of the order impugned dated 22nd April 2017, the order of transfer was issued on administrative grounds and the same cannot be questioned by the writ petitioner. It is the prerogative of the authorities to issue transfer orders on administrative grounds. The learned counsel would contend that the General Manager has a personal vengeance with this writ petitioner and passed the impugned order.

4. The writ petitioner has not impleaded any respondents in personal capacity nor set out any specific mala fide allegations against the second respondent and in the absence of any such specific contention in the affidavit, this Court is of the view that the oral submissions of the learned counsel for the writ petitioner against the second respondent cannot be considered. The order of transfer cannot be challenged, since the same is on administrative grounds. Further, transfer being condition of service, the writ petitioner has to join in the transferred place and no right can be claimed. Such being the factum of the matter, this Court is not inclined to consider the grounds raised in the writ petition and accordingly, the writ petition shall stand dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

kkd

To

1. The Labour Inspector,
Office of the Labour Inspector,

Erode 638 001.

2. The General Manager,
Tamilnadu State Transport Corporation (Coimbatore) Ltd.,
Erode Division, Chennimalai Road,
Erode 638 102.

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Bhavani Branch 641 301.

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Karur Branch

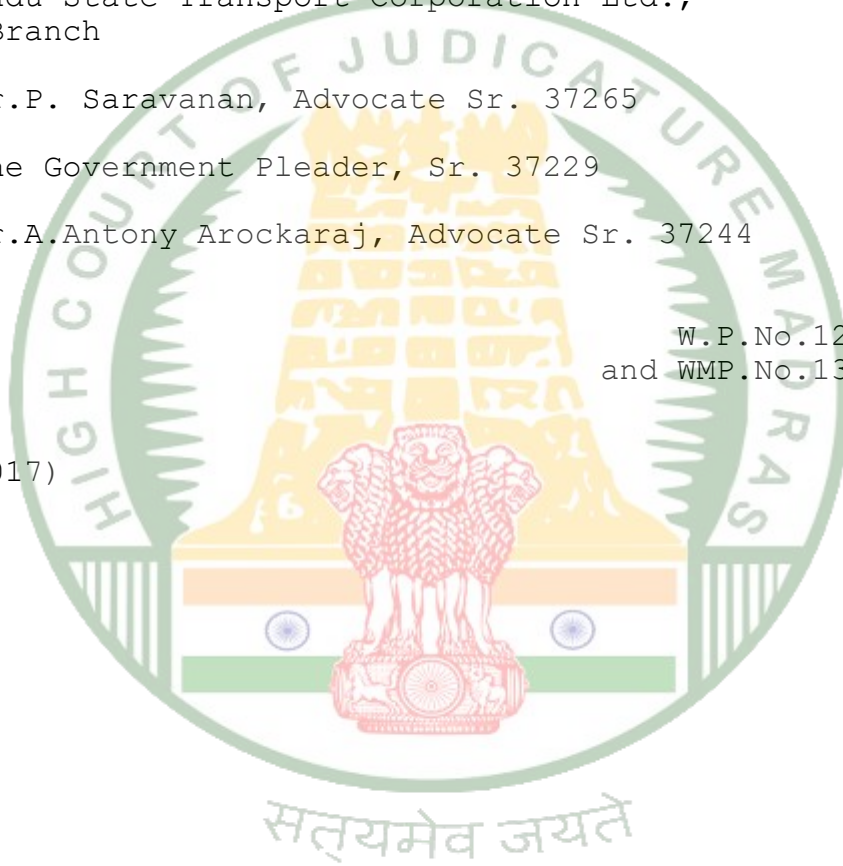
+1cc to Mr.P. Saravanan, Advocate Sr. 37265

+1cc to the Government Pleader, Sr. 37229

+1cc to Mr.A.Antony Arockaraj, Advocate Sr. 37244

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RSY(CO)
VR(16/5/2017)



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