

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.08.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22051 of 2017 and  
W.M.P.No.23103 of 2017

P.Suresh babu

.. Petitioner

vs

1. The Director,  
Directorate of Stationery  
and Printing Department  
No.110, Anna Salai,  
Chennai - 600 002.

2. The Joint Director  
Directorate of Stationery  
and Printing Department  
No.110, Anna Salai,  
Chennai - 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records and papers from the files of the 2<sup>nd</sup> respondent in its proceedings in iyak.se.mu.aa.no: C4/16520/2017 dated 07.08.2017.

For Petitioner : Ms.K.Bharathi

For Respondents : Mr.M.Perumal, GA

सत्यमेव जयते  
O R D E R

The order of transfer transferring the writ petitioner from Chennai to Madurai vide proceedings 07.08.2017 is under challenge in this writ petition.

2 The writ petitioner is working as an Offsite Technician in Government Central Press at Chennai. The writ petitioner was transferred, on account of certain complaints and on administrative grounds, to Madurai.

3 The learned counsel appearing for the writ petitioner contended that no transfer order can be issued on receipt of certain complaints, since, the respondents

have not conducted any enquiry and not issued any notice to the writ petitioner with regard to such complaints. Thus, the order of transfer is untenable, on the ground that it is punitive in nature.

4 Secondly, the learned counsel contended that the writ petitioner is an award winner employee and having meritorious services throughout. Further, he is having an aged mother and children are studying in Chennai and on this ground, he is entitled to continue in chennai.

5 The arguments so advanced by the learned counsel appearing for the writ petitioner, at the outset cannot be considered as the order of transfer impugned in this writ petition was issued by the respondents on administrative ground and on receipt of certain complaints from other persons.

6 The administrative transfers are issued for effective administration of the Department. One way of removing the troublesome situation is to issue administrative transfers. That apart, the order of administrative transfer can be issued in lieu of order of suspension on receipt of the complaints. Considering the situation and the nature of the complaints, the competent authority may either initiate disciplinary proceedings against the employee, in the event of finding that the complaints are serious or to issue an order of administrative transfer, to neutralize the circumstances, in a particular post and place, so as to run the administration peacefully. Thus, the administrative transfers are to be characterized that for effective administration, the competent authorities has to consider various aspects including certain routine complaints received against the employees. Merely issuing an order of transfer by a competent authority based on complaint cannot be construed as punitive one. The characteristic of punitive transfers are entirely different and in the case on hand, on receipt of certain complaints against the petitioner, the administrative transfer order was issued by the respondents.

7 In respect of personal grievances, this Court is of the opinion that all citizen of in this great Nation are having problems in one way or other. Further, an employee having aged parents, wife and children are common in nature. All the personal grievances are to be pleaded and explained only before the competent authorities in order to get relief. If the original authorities have not considered the personal grievances, it is left open to the writ

petitioner to approach the higher authorities in order to redress his grievances. Certainly, the constitutional Courts cannot consider the personal grievance of the public servants in a writ proceedings. If Such pleadings are entertained by the High Court, it will create chaos in the administration and the High Court cannot interfere in the day to day administration of the Department.

8 Transfer being incidental to service and the condition of service. The Government employee posted in a place should sincerely go and serve for the public. Post and place can never be claimed as a matter of right and it is not a choice, since, the Government servants accepted the conditions of appointment. They have to serve in the interest of public at large. Such being the legal principle, the grounds raised in this regard petitioner deserves out-right rejection. Thus, the writ petition is devoid of merits.

9 Accordingly, the writ petition stands dismissed. However no order as to cost. Consequently, connected Miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Director,  
Directorate of Stationery and  
Printing Department  
No.110, Anna Salai,  
Chennai - 600 002.
2. The Joint Director  
Directorate of Stationery and  
Printing Department  
No.110, Anna Salai,  
Chennai - 600 002.

+ 1 cc to Mr.K. Bharathi, Advocate Sr.59704  
+ 1 cc to Government Pleader Sr.60401

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KJI (CO)  
EU 30.08.17