

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.08.2017

CORAM

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

W.P.No.22874 of 2017

S.Kalaiyarasi

..Petitioner

Vs

1.The Director
Committee & Director
Integrated Child Development System
Taramani, Chennai 600 113.

2.The District Collector
District Collectorate Building
Thiruvannamalai
Thiruvannamalai District
Pincode - 606 604.

3.The District Project Officer
Integrated Child Development System
District Collectorate Building
Thiruvannamalai
Thiruvannamalai District
Pincode 606 604.

4.The Circle Project Officer
Integrated Child Development System
Vasur Village
Polur Circle
Thiruvannamalai District
Pincode - 606 604.

.. Respondents

PRAYER : Petitions filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the fourth respondent to consider the petitioner representation letter dated 14.08.2017 and transfer the petitioner to the main center - Kalambur - 3 instead of the main center - Kalambur - 4, since there was precarious stage of the petitioner personal life and liberty.

For Petitioner
For Respondents

: Mr.Parigopal
: Mr.Perumal
Government Advocate

O R D E R

The relief sought for in this writ petition is for a direction to the fourth respondent to consider the representation dated 14.08.2017 and transfer the petitioner to the Main Center -Kalambar-3 instead of Main Center Kalambar -4.

2. The learned counsel appearing for the writ petitioner states that the petitioner is working as Anganwadi worker and he has got certain personal issues against the local people and therefore, she made a request to the respondent to transfer her from Main Center Kalambar -3.

3. Request for transfer may be submitted before the competent authority for consideration and no writ can be entertained for granting transfer to a Government employee. Transfer is an incidental to service, more so, a condition of service. Post or place can never be claimed as a matter of choice by the Government servants. It is the prerogative of the administrative authorities to transfer the employees from one place to another place for effective public administration. Thus, the transfer to a particular post or place can never be a matter of right for the Government employees. Wherever they are posted, they are bound to serve for the public and in the interest of public. Submitting a request application to the competent authority will not constitute a cause for moving this writ petition under Article 226 of the Constitution of India.

4. It is left open to the respondent to consider the transfer application in accordance with the Government Orders in the matter of transfer policy and this Court cannot issue any direction to the authorities either to issue transfer order or not to issue any such orders. The Constitutional Courts cannot interfere with the day-to-day administration of the Government and more so, in the matter of transfers which are administrative in nature. Thus, the very relief sought for in this writ petition deserves no further consideration at all.

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5. Accordingly, the writ petition stands dismissed. However no order as to costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

dna

To

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+1 cc to the Government Pleader sr 62875

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aa09/10/2017