

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-08-2017

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.32634 of 2016

Mrs.S.Maniyammal

.. Petitioner

vs.

- 1.The Director of Elementary Education,
Directorate of Elementary Education,
DPI Campus,
College Road,
Chennai-6.
- 2.District Elementary Education Officer,
Krishnagiri District,
Krishnagiri.
- 3.Assistant Elementary Education Officer,
Bargur,
Krishnagiri District.

... Respondents

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to consider the representation dated 5.8.2016 given by the petitioner for transfer.

For Petitioner : No Appearance.

For Respondents : Mr.M.Perumal,
Government Advocate.

O R D E R

The relief sought for in this writ petition is for a direction to the second respondent to consider the representation dated 5.8.2016 in respect of the transfer of the writ petitioner.

2. The writ petitioner is working as B.T. Assistant and she was transferred from Bargur Block to Pudhu Mottur. The writ petitioner claims that the distance between these two places is about 70 kilometers and it will be very difficult for her to travel and attend the work in the transferred place. In this regard, the writ petitioner made a representation to the second respondent on 5.8.2016. The

reason stated in the representation is that the writ petitioner is suffering from certain ailments and she cannot travel for a long distance.

3. Transfer is an incidental to service, more-so, a condition of service and transfer can never be claimed as a matter of right. Transfer, being administrative in nature, does not constitute a right for the employees. Post and place can never be claimed as a right by the employees. All public servants are to work in the place and post in which they are posted by the Competent Authorities. Only on exceptional grounds, the order of transfer can be challenged.

4. In this view of the matter, even to issue direction to consider the representation, the petitioner has to establish a semblance of right in this writ petition. Transfer, being not considered as a right, no such direction as such sought for in this writ petition can be granted by this Court. Thus, the writ petition is devoid of merits and accordingly it stands dismissed. However, there shall be no order as to costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

Svn

To

1.The Director of Elementary Education,
Directorate of Elementary Education,
DPI Campus,
College Road,
Chennai-6.

2.District Elementary Education Officer,
Krishnagiri District,
Krishnagiri.

3.Assistant Elementary Education Officer,
Bargur,
Krishnagiri District.

+1cc to Government Pleader sr.57509

ss (28/8/2017)

<https://hcservices.ecourts.gov.in/hcservices/>

WP No.32634 of 2016