

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.05.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.16531 of 2004

V.Selvaraja

...Petitioner

-Vs-

1.The District Forest Officer,
Dharmapuri.

2.K.Devarajan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records of the first respondent relating to S.O.No.38/2004/Pa.1 (Na.Ka.No.1084/2004/Pa.1), dated 21.05.2004, quash the same in so far as it relates to the petitioner and consequently, direct the first respondent to permit the petitioner to continue in the same post/station.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.N.Inbanathan,
Additional Government Pleader
(Forest) for R1

सत्यमेव जयते
No Appearance
for R2.

O R D E R

The order of transfer issued by the first respondent in proceeding dated 21.05.2004 is challenged in this writ petition.

2.The petitioner was working as Forest Guard in Chinnaru Beat, Hogenekkal Range. He was transferred to Forest Police Station and one Mr.Chinnaraj, who was working in Forest Police

Station, Dharmapuri was transferred to a vacant place and one Mr.Devarajan was posted in the place of the petitioner. Challenging the transfer order dated 21.05.2004, the present writ petition is filed.

3.The transfer order was issued transferring the petitioner within the same district. Further, the transfer is incidental and condition of service. Hence, an employee has no right to question the transfer issued on administrative grounds, except the ground of mala-fide or without jurisdiction. Hence, the Government employee cannot claim the place or post as a matter of right and no such claim can be entertained through the writ petition. Such being the legal pronouncements, this Court is not inclined to consider the grounds raised in the writ petition. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

cla
To
The District Forest Officer,
Dharmapuri.

+1cc to Special Government Pleader (forest).sr.37465

W.P.No.16531 of 2004

mg(co)
ss(29/5/2017)

सत्यमेव जयते

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