

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.05.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.16532 of 2004

V.Madhu

...Petitioner

-Vs-

1. The District Forest Officer,
Dharmapuri Division,
Dharmapuri.

2. M.Madhu

...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.41/2004/Pa.2 (Na.Ka.No.1384/2004/Pa.2), dated 31.05.2004, quash the same in so far as it relates to the petitioner and consequently, to 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

No Appearance
for R2.

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O R D E R

The petitioner in this writ petition has challenged the order of transfer.

2.The petitioner was transferred by the proceedings issued in S.O.No.41/2004/Pa.1 (Na.Ka.No.1084/2004/Pa.2), dated 31.05.2004, on administrative grounds. The petitioner was working at Thoppur North Beat, Dharmapuri Range pursuant to the order dated 16.05.2002. The impugned order of transfer dated 31.05.2004 was issued to the petitioner transferring him to Kodagarai Beat in Hogenekkal Range. Challenging the transfer order dated 31.05.2004, 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 pronouncement, this Court is not inclined to consider the grounds raised in the writ petition. Accordingly, the writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

The District Forest Officer,
Dharmapuri Division,
Dharmapuri.

+1 CC to Spl.Govt. Pleader sr 37464

SKV(CO)
sp/26/5

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