



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated :13.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A.[MD].No.631 of 2014

and

M.P.[MD]No.1 of 2014

B.Nagesh

... Appellant

Vs.

1.The Deputy General Manager (B&O),
State Bank of India,
Network II, Administrative Cluster,
No.2, Ambedkar Road,
Madurai-2.

2.The Regional Manager, RBO-II,
Regional Business Unit,
No.2, Ambedkar Road,
Madurai-2.

3.The Chief Manager,
State Bank of India,
NO.282, Madurai Road,
Virudhunagar.

... Respondents

PRAYER : Writ Appeal is filed under Clause 15 of the Letters Patent, to set aside the order passed by the Learned Judge in W.P (MD).NO.16168 of 2013 and M.P(MD).Nos.1 & 2 of 2013 dated 30.10.2013.

Prayer in WP(MD). 16168/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the Impugned Order of transfer by deployment passed by the 2nd respondent in his proceedings RM-II-11 dated 26.09.2013 and quash the same as illegal.

For Appellant :Mr.C.Jeganathan

For Respondents:Mr.S.Sethuraman

JUDGMENT

[Judgment of the Court was delivered by G.R.SWAMINATHAN, J.]

[https://hcservices.courts.gov.in/hcservices/](https://hcservices.courts.gov.in/hcservices/courts.gov.in/hcservices/) Successful writ petitioner is on appeal, questioning the order dated 21 October 2013, dismissing W.P.(MD) No.16168 of 2013.



2.The said writ petition was filed by the appellant herein questioning the order of transfer by deployment passed by the second respondent herein vide proceedings dated 26 September 2013. By the said order impugned in the writ petition, the writ petitioner had been transferred from Virudhunagar Branch State Bank of India to Parthibanur Branch.

3.The learned Single Judge held that on account of staff becoming surplus, the Management was entitled to take recourse to redeployment. Transfer is an incident of service. The allegation of malice against the Management was negatived. Finding no merit in the writ petition, the writ petition was dismissed. Aggrieved by the same, the employee filed the instant intra court appeal.

4.It is stated that during the pendency of the appeal proceedings, the appellant herein had been transferred from Parthibanur Branch to Sattur Branch, which is quite near to Virudhunagar.

5.Taking note of the reasoning set out in the order of the learned single Judge and the subsequent development viz., transfer of the writ petitioner to Sattur Branch, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(crl side)

/ True Copy \

Sub Assistant Registrar

To

- 1.The Deputy General Manager (B&O),
State Bank of India,
Network II, Administrative Cluster,
No.2, Ambedkar Road,Madurai-2.
- 2.The Regional Manager, RBO-II,
Regional Business Unit,
No.2, Ambedkar Road, Madurai-2.
- 3.The Chief Manager,
State Bank of India,
NO.282, Madurai Road, Virudhunagar.

+1 cc TO MR.S.SETHURAMAN, ADVOCATE, SR NO.65505

Arul/skm

MAS-MR-KKR/SAR2:28.07.2017:2P-5C

W.A. [MD].No.631 of 2014
and

M.P. [MD] No.1 of 2014
13.07.2017