



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.13907 of 2017

and WMP Nos.10845 & 10846 of 2017

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T.Jeyabalan

... Petitioner

-vs-

1.The Assistant Manager,
Labour & Administration,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region, Periyamilaguparai, Trichy District

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region, Periyamilaguparai
Trichy District

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorari to call for the records and quash the impugned order passed by the respondents in Ref.Th.A.Po.Ka/Trichy/Pa.Bi-Bi2/810/2017 dated 14.07.2017 on the ground that the same is arbitrary, illegal.

For Petitioner	:	Mr.A.Joel Paul Antony
For Respondents	:	Mr.D.Sivaraman
		standing counsel for R1 & R2

ORDER

By consent of both sides, the writ petition is taken up for final disposal.

2.Mr.D.Sivaraman, standing counsel, takes notice for the respondents.

3.The Writ Petition is directed against the impugned order dated 14.07.2017, in which, the petitioner has been transferred from Lalgudi to Jeyamgondam, which is only 100 kms.

4.The learned counsel for the petitioner would submit that the respondents, while passing the order of transfer, have miserably failed to take into account that the petitioner has got age old mother and having various ailments, who will be deserted without any care. Besides that the impugned order has been passed in the middle of the academic year and the petitioner's two school going children would also put to grave problem. It is also submitted that the respondents have no jurisdiction to pass the order of transfer.



5. The learned counsel for the respondents would submit that for passing the transfer order on administrative grounds, the petitioner has been making petition one after other before various authorities, such as, Human Rights Commission etc.

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6. When the petitioner is an employee of the State Transport Corporation working in Lalgudi, for the reason that he has been transferred from Lalgudi to Jeyamkondam, which is 100 kms, giving a complaint to the National Human Rights Commission, SC/ST Commission is wholly without any reason and when the order of transfer simply says that out of administrative exigencies, he has been transferred from Lalgudi to Jayamkondan, this Court is unable to find any malafide or any ground to interfere with the impugned order of transfer. Therefore, this Court is not inclined to entertain this petition. Accordingly, this petition is dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/Truecopy/

Sub Assistant Registrar

To

+1cc to MR.A.JOEL PAUL ANTONY, Advocate SR.No.68809

+1cc to MR.D.SIVARAMAN, Advocate SR.No.68089

RR

MAS/KP/SAR4:18.08.2017:2P-3C

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