

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.No.9430 of 2018
& WMP.Nos.11274 & 11275 of 2018

D.Jeyanthi

.. Petitioner

Vs

1. The Chairman cum Director,
Tamil Nadu Handloom Development Corporation Limited,
Kuralagam II Floor,
Chennai-600 108.

2. The Deputy Director/Managing director,
Thirubuvanam Silk Weavers Co-operative Society Ltd,
Z.322, Thirubuvanam,
Thanjavur District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records in pursuant to the order passed by the first respondent in his proceedings in Na.Ka.1496/2017/G3 dated 22.02.2018 and consequent order of second respondent in his proceedings in Na.Ka.17/2017-18/Administration dated 02.03.2018 and quash the same in respect of the petitioner's sales Depot concerned and consequently direct the respondents to permit the petitioner to continue as Senior Salesman in Chennai Sales Depot situated at Co-optex Handloom Complex, Egmore, Chennai.

For Petitioner : Mr.L.Chandrakumar for
M/s.P.T.Ramadevi

For Respondents : Mr.L.P.Shanmugasundaram, Spl.G.P.

ORDER

It appears in this case that the petitioner who was working as a Senior Sales Man being posted in the Chennai Branch Co-optex Handloom Complex, Egmore, Chennai has challenged her order of transfer from Chennai Sales depot to Thirubhuvanam Head Office vide the impugned order dated 02.03.2018 taking note of

the resolution of the 1st respondent dated 22.02.2018 to be illegal, arbitrary and tainted with malafide.

2. The learned counsel appearing for the petitioner submits that such order of transfer on the ground that the branch going to be closed appears to be without any substance and as such, the same be quashed inasmuch as the petitioner has one year more of service.

3. The learned counsel appearing for the respondents however submits that when the respondents are going to close the depot which was running with loss, the petitioner has been directed to move to the Head office and as such, she could not have any grievance against the same. Moreso, when the running of the depot has been decided to be closed on account of the loss and the same cannot be said to be for malafide reasons.

4. Considering the facts and circumstances, especially the fact that the respondents cannot be compelled to run a depot, if the same is not beneficial to it to accommodate the present petitioner, this Court is of the view that the challenge to the order of transfer of the petitioner to the Head Office is without any substance. However, considering the fact that the petitioner has one more year to go in service, it is directed till the depot/store is closed, she shall not be directed to move to the new place of posting.

5. With the aforesaid order, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

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To

1. The Chairman cum Director,
Tamil Nadu Handloom Development Corporation Limited,
Kuralagam II Floor,
Chennai-600 108.

2. The Deputy Director/Managing director,
Thirubuvanam Silk Weavers Co-operative Society Ltd,
Z.322, Thirubuvanam,
Thanjavur District.

+1 CC to Ms.P.T. Ramadevi, Advocate sr 31078.
+1 CC to Mr.L.P. Shanmuga Sundaram, Advocate sr 31584.
+1 CC to Govt. Pleader sr 31805.

W.P.No.9430 of 2018

SP(06/06/2018)



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