

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2018
CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.190 of 2018 and
WMP.Nos.255 and 256 of 2018

R.Kesavan

... Petitioner

Vs.

- 1.Regional Manager,
State Bank of India,
Regional Business Office-4,
Salem Zone,
Hotel Gowrishankar Complex,
Hosur-635 109.
- 2.Deputy General Manager,
State Bank of India,
Cherry Road, Subbarayan Lay Out,
Hasthampatty, Salem.
- 3.The Branch Manager,
State Bank of India,
Old Bangalore Road,
Hosur-635 109.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records relating to the order of transfer dated 30.11.2017 made in RBO 4/2017-18/12/2499 passed by the first respondent, transferring the petitioner from Hosur to Ramianahalli Branch (06241) as Assistant and quash the same.

For Petitioner : Mr.V.Govardhanan
for M/s.M.Gnanasekar

W R D E R

This Writ Petition has been filed challenging the impugned order of transfer dated 30.11.2017, transferring the petitioner from Hosur to Ramianahalli Branch.

2. The learned counsel for the petitioner submitted that the petitioner is a heart patient and therefore, he should not have been transferred to a far off place, which is 130 kms away from the present place of work.

3. This Court is unable to find any merit in the said submission for the reason that the petitioner himself has invited the impugned order of transfer by taking long medical leave from 24.10.2017. While the petitioner is serving as Head Cashier and not returned to the bank for 3 months on medical ground, the Bank has found it difficult to manage the post and therefore, as an arrangement, the respondent management has issued this present transfer order bringing another officer in his place.

4. It is settled legal proposition that transfer of a Government servant appointed to a particular cadre of transferable posts from one place to the other is an incident of service. No Government servant or employee of Public Undertaking has legal right for being posted at any particular place. Transfer from one place to other is generally a condition of service and the employee has no choice in that matter. Transfer from one place to other is necessary in public interest and efficiency in the public administration. Therefore, the impugned order of transfer passed by the first respondent due to administrative exigency cannot be questioned by the petitioner.

5. This Writ Petition fails and accordingly, it is dismissed. No costs. Consequently, connected miscellaneous petitions are dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jvm

To

+lcc to Mr.M.Gnanasekar, Advocate, S.R.No.1645

W.P.No.190 of 2018

SKV(CO)
RRK(30/01/2018)

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