



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2018

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THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.21600 of 2018

and

W.M.P.(MD)No.19505 of 2018

K.Narayanamoorthy

... Petitioner

-Vs-

1.The General Manager,
Tamil Nadu State Transport Corporation Tirunelveli Ltd.,
Nagercoil Region,
Ranithottam,
Kanyakumari District.

2.The Branch Manager,
Tamil Nadu State Transport Corporation,
Ranithottam Branch - III,
Nagercoil Region, Ranithottam,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned orders of transfer passed by the first respondent in Office Order No.238/A2/TNSTC (Tili)/Nager/2014, dated 02.08.2018 and its consequential relieving order passed by the second respondent in Memo No.1330/RTMIII/TNSTC(NGL)/2010, dated 13.09.2018 and quash the same as illegal.

For Petitioner : Mr.L.Prabakaran
For Respondents : Mr.K.Sathiya Singh,
Standing Counsel

O R D E R

This Writ Petition is filed challenging the order of transfer dated 02.08.2018 passed by the first respondent transferring the petitioner from Ranithottam Branch-III to Chettikulam Branch.

2.Heard the learned Counsel appearing for the petitioner and Mr.K.Sathiya Singh, learned Standing Counsel appearing for the respondents. By consent, the Writ Petition is taken up for final disposal.

3.The learned Counsel appearing for the petitioner states that the petitioner is working as Conductor in the second respondent corporation and that since he joined in service, he is maintaining clean records. It is further stated that due to some allegations against the petitioner, the petitioner has been transferred by way of punishment without hearing the petitioner. Therefore, it is submitted by the petitioner's counsel that the impugned order of



transfer is contrary to the terms and guidelines issued under the Common Service Rules.

4. This Court is of the view that by the impugned order the petitioner has been transferred without assigning any reason. However, it does not give any right to the petitioner to file a writ petition challenging the order of transfer impugned in the present Writ Petition. From the order, it can be seen that no allegations are made against the petitioner and this Court has no reason to believe that the impugned order of transfer has been passed to revenge or to punish the petitioner. Further, it is well settled that transfer is an incident of service and that no one can stick to a particular place as a matter of right. Any employee can be transferred from one place to another place on administrative grounds and such transfer cannot be interfered with by this Court. Therefore, this Writ Petition is devoid of merits and the same is dismissed. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/

Assistant Registrar (AD-I)

/True copy/

Sub Assistant Registrar (CS-I)

To

1. The General Manager,
Tamil Nadu State Transport Corporation Tirunelveli Ltd.,
Nagercoil Region,
Ranithottam,
Kanyakumari District.

2. The Branch Manager,
Tamil Nadu State Transport Corporation,
Ranithottam Branch - III,
Nagercoil Region, Ranithottam,
Kanyakumari District.

+1cc to Mr. L. PRABAKARAN, Advocate, SR.No.90918

+1cc to Mr. K. SATHIYA SINGH, Advocate, SR.No.90917

W.P. (MD) No.21600 of 2018
16.10.2018

SRM

KK/SV/SAR-1/14.11.2018/2P-5C