

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19-02-2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.774 of 2019

Kamalakannan

...Petitioner

- Vs. -

1.The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District-608 002.

2.The Joint Director
(Craftsmen Training),
Commissioner of Employment and Training,
Guindy,
Chennai-600 032.

3.The Principal,
Government Industrial Training Institute,
Thenkasi,
Thirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to transfer the petitioner from the third respondent Industrial Training Institute, Thenkasi to any other Government Industrial Training Institutes situated at Cuddalore District by considering the representation of the petitioner dated 10.12.2018.

For Petitioner : Mr.G.Pugazhenthir

For Respondents : Mr.M.Elumalai,
No.2 & 3. Government Advocate.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the second respondent to transfer the

writ petitioner from the third respondent-Industrial Training Institute, Thenkasi to any other Government Industrial Training Institutes situated at Cuddalore District by considering the representation submitted by the writ petitioner on 10.12.2018.

2. Transfer is an incidental to service, more-so, a condition of service. Transfer can never be claimed as a matter of legal right. Even if some personal grievance exists for Government employees, they are at liberty to approach the competent higher officials for the purpose of redressing their grievances. However, no writ petition can be entertained for the purpose of directing the competent authorities to transfer the writ petitioner from one place to another place or from one post to another post.

3. The High Courts cannot interfere with the policy of the State or its administration. It is prerogative of the authorities competent to take decision in the interest of public administration to post an employee in a particular place or post. Thus, even to entertain the writ petition, the writ petitioner has to establish a right to consider the claim.

4. In the present case, the writ petitioner seeks transfer from the third respondent-Industrial Training Institute, Thenkasi to any other Government Industrial Training Institutes situated at Cuddalore District, which cannot be considered as a right and therefore, the writ petitioner has not established even a semblance of legal right, so as to consider the relief, as such, sought for in the present writ petition.

5. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Svn

Sd/-

सत्यमेव जयते Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District-608 002.

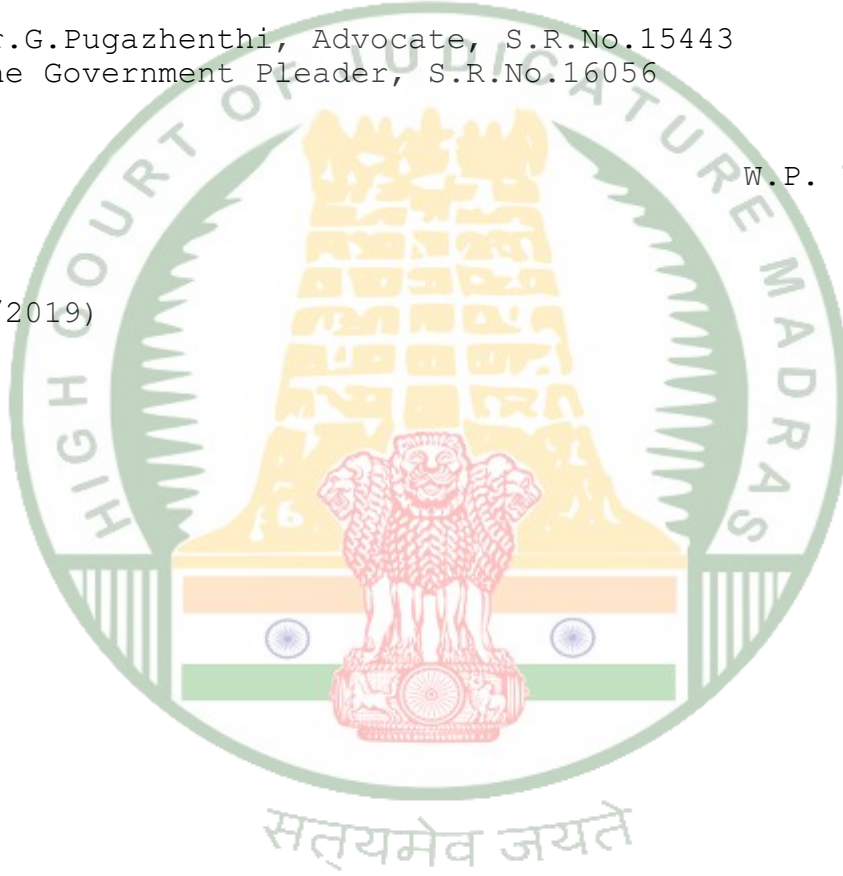
2.The Joint Director
(Craftsmen Training),
Commissioner of Employment and Training,
Guindy,
Chennai-600 032.

3.The Principal,
Government Industrial Training Institute,
Thenkasi,
Thirunelveli District.

+lcc to Mr.G.Pugazhenthir, Advocate, S.R.No.15443
+lcc to the Government Pleader, S.R.No.16056

W.P. 774 of 2019

KAK (25/03/2019)



WEB COPY