

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
and
THE HONOURABLE MR. JUSTICE P.D. AUDIKESAVALU

W.A. No. 1299 of 2019

S.D. Asinajhon Appellant/Petitioner

-vs-

1. The District Collector,
Krishnagiri,
Krishnagiri District.
2. The Commissioner,
Panchayat Union Office,
Uthagarai,
Krishnagiri District. Respondents/Respondents

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent, praying to quash the order dated 11.03.2019 passed in W.P. No. 31627 of 2018.

PRAYER IN W.P. No. 31627 of 2018:-

Writ Petition filed under Article 226 of the constitution of India, to issue Writ of Certiorarified Mandamus to Calling for the entire records which culminated in passing the order bearing reference Na.Ka.Pa.23186/2018/Ex1 dated 22.10.2018 of the 1st respondent and quash the same and consequently directing the respondents to consider the petitioner for request transfer to the vacant place of the Noon Meals centre at Government Boys Higher Secondary School Singarapattai Krishnagiri District.

For Appellant : Mr. P. Ganesan

For Respondents: Mrs. A. Sri Jayanthi,
Special Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by P.D. AUDIKESAVALU, J.)

The Appellant, who was working as Noon Meal Organizer at Panchayat Union Elementary School, Singarapettai, Krishnagiri District made a representation dated 23.01.2018 for transfer to the same post at Government Boys Higher Secondary School, Singarapettai, Krishnagiri District. This Court by order dated 27.08.2018 in W.P. No. 21814 of 2018 without expressing any opinion on the merits of the claim made, directed the Respondents to dispose that representation of the Appellant. As a sequel thereto, the Respondents have considered the representation and expressed inability to accept the request and rejected the same by order Na. Ka. No. 23186/2018/XI dated 22.10.2018, which was challenged by the Appellant in W.P. No. 31627 of 2018 before this Court. As that Writ Petition was dismissed by this Court, this intra-Court appeal has been preferred by the Appellant.

2. We have heard Mr. P. Ganesan, Learned Counsel appearing for the Appellant, Mrs. A. Sri Jayanthi, Learned Special Government Pleader appearing on behalf of the Respondents and perused the materials placed on record, part from the pleadings of the parties.

3. It is settled law that transfer is an incidence of service and no employee has any vested right to claim posting at a particular place of his choice. The Writ Court was absolutely justified in dismissing the Writ Petition.

4. As we do not find any merits in the claim of the Appellant, the Writ Appeal is dismissed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The District Collector,
Krishnagiri, Krishnagiri District.
2. The Commissioner,
Panchayat Union Office,
Uthagarai, Krishnagiri District.

+1cc to Mr. P. Ganesan, Advocate SR.No. 42860

+1 cc to Government Pleader Sr.No. 42478

W.A. No. 1299 of 2019

A.SK(23/05/2019)