

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-03-2019

CORAM

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

W.P.No.17460 of 2018

R.Arumugam

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Petitioner

- Vs. -

1.The Government of Tamil Nadu,
Represented by the Secretary to Government,
Rural Development and Panchayat Raj
Department,
St. George Fort,
Secretariat,
Chennai-600 009.

2.The Director,
Directorate of Rural Development of Panchayat Raj,
Panagal Building,
Saidapet,
Chennai-600 015.

3.The District Collector, सत्यमेव जयते
Coimbatore District,
Coimbatore.

4.The Commissioner,
Panchayat Union,
Sarkar Samakulam Panchayat Union,
Coimbatore District.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India

praying to issue a Writ of Mandamus, directing the third respondent to accept the reasons set forth by the petitioner to transfer him from the post of Night Watchman post to the post of Office Assistant in any one of the Panchayat Unions in Coimbatore District.

For Petitioner : Mr.A.S.Palanisamy

For Respondents-1to3 : Mr.A.N.Thambidurai,
Special Government Pleader.

For Respondent-4 : Mr.R.S.Selvam,
Government Advocate.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the third respondent to accept the reasons set-forth by the writ petitioner to transfer him from the post of Night Watchman to the post of Office Assistant in anyone of the Panchayat Unions in Coimbatore District. Thus, the prayer, as such, sought for in the present writ petition is absolutely misconceived.

2. Transfer can never be claimed as a matter of legal right.

The writ petitioner is seeking a direction to accept the reasons set out by the writ petitioner to transfer him from the post of Night Watchman to the post of Office Assistant in anyone of the Panchayat Unions in Coimbatore District. Such a relief sought for by the writ petitioner in the present writ petition cannot be granted.

3. Transfer is to be made on administrative grounds or on administrative exigencies and it is the prerogative of the administration to effect transfers. The writ petitioner cannot seek transfer to a particular place or post. Choice of place or post is not available to the public servants and they are liable to work wherever they are posted in the interest of public administration.

4. This being the principles to be followed, the relief, as such, sought for cannot be granted, as the writ petitioner has not established any cause for filing of the present writ petition nor he be construed as an aggrieved person in the eye of law.

5. This being the factum, the writ petition is devoid of merits and the writ petition stands dismissed. However, there shall be no order as to costs.

12-03-2019

Index:Yes.

Internet: Yes.

Speaking Order

Svn

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S.M.SUBRAMANIAM, J.

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To

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WP 17460 of 2018

सत्यमेव जयते

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