



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.08.2019
CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.15818 of 2019

and

W.M.P.(MD) Nos.12572 & 12573 of 2019

V.Nagaraj

...Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation,
Head Office,
Bye pass Road,
Dindigul 4.

2.S.Rajeshwaran

...Respondents

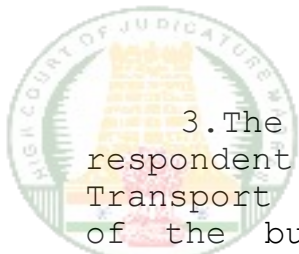
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling the impugned proceedings Ref.No.ADMIN/P3/1138 dated 06.06.2019 and consequential relieving order dated 01.07.2019 on the file of the first respondent and to quash the same as illegal.

For Petitioner	: Mr.S.Saji Bino
For R1	: Mr.J.Senthil Kumaraiah Standing Counsel
For R2	: Mr.N.Rajasekar

ORDER

This Writ Petition has been filed to quash the order dated 06.06.2019 and 01.07.2019 passed by the first respondent.

2.The learned counsel appearing for the petitioner would submit that while the petitioner was working as Conductor under the respondent Corporation, by order dated 26.02.2019, he was placed under suspension by the first respondent and subsequently, a charge memo has also been issued to him. Pursuant to the said charge memo, now, an enquiry is going on. In the meantime, the petitioner was transferred to Cumbum-2 branch with an *mala fide* intention, which is not permissible in law. Challenging the same, the present writ petition has been filed.



3.The learned Standing Counsel appearing for the first respondent would submit that due to financial crisis, all the Transport Corporations have decided to reduce the route and timing of the bus. Accordingly, the respondent Corporation has also reduced the route within its jurisdiction. Because of such reduction of route, the employees of the respondent Corporation are required to be transferred to other branches within the Dindigul region, and thereby, the petitioner was transferred to Cumbum-2 Branch, which is 40 km., away from the earlier working place(Bodi branch). Therefore, the petitioner's transfer is purely on administrative reasons and also considering his welfare.

4.Heard the learned counsel on either side and perused the records.

5.On perusal of the records, it is seen that the employees of the respondent Corporation are required to be transferred from one branch to another branch within the Dindigul region because of reduction of route. Thereby, only on administrative ground, the petitioner was transferred from Bodi Branch to Cumbum-2 Branch, which is 40 km., away from the earlier working place (Bodi branch). Therefore, no prejudice will be caused to the petitioner.

6.In view of the foregoing discussions and in view of the arguments advanced by the learned Standing Counsel appearing for the first respondent, this Court finds no reason to interfere with the impugned order dated 06.06.2019 and 01.07.2019 on the file of the first respondent.

7.This Writ Petition is dismissed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

+1 CC to Mr.J. SENTHIL KUMARAIYA, Advocate SR-83012.

+1 CC to Mr.S. SAJI BINO, Advocate SR-83250.

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