



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **30.11.2021**

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.20821 of 2021

& WMP (MD) No.17428 of 2021

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S.Sheik Abdullah

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Bye-Pass Road,
Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation, Dindigul
Division,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order dated 15.11.2021 in Ref.Admin/P3/212 passed by the second respondent and to quash the same.

For Petitioner : Mr.P.Balamurugan

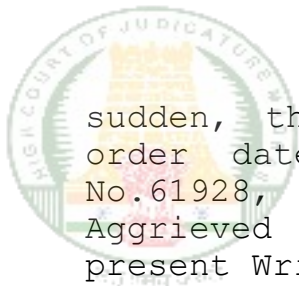
For Respondents : Mr.J.Senthil Kumaraiah, learned
Standing counsel

ORDER

Heard Mr.P.Balamurugan, learned counsel appearing for the petitioner and Mr.J.Senthil Kumaraiah, learned Standing counsel appearing for the respondents.

2.This Writ Petition has been filed seeking for issuance of a Certiorari, to call for the records relating to the impugned order dated 15.11.2021 in Ref.Admin/P3/212 passed by the second respondent and to quash the same.

3.The case of the petitioner is that on earlier occasion while he was working as Time Keeper at Dindigul-I TNSCTC as Non-ITI Helper, by order dated 08.10.2015, he was transferred to Dindigul-II (Manaparai Bus stand), which was challenged by the petitioner and pursuant to the interim stay granted by this Court, he continued to work as Time Keeper at Dindigul-I as Non-ITI. While so, all of a



sudden, the second respondent herein passed an another transfer order dated 15.11.2021 transferring him from Non-ITI HR, St. No.61928, Dindigul -I Branch to FC Unit, RC, RO at Workshop Yard. Aggrieved by the same, the petitioner has come forward with the present Writ Petition.

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4. The learned counsel appearing for the petitioner submits that the petitioner is aged about 58 years and in the verge of retirement, he has been transferred and posted at Workshop Yard where, he was entrusted with heavy duty and due to his over age, he is unable to discharge heavy duty entrusted to him.

5. The learned Standing counsel appearing for the respondents submits that he got the instructions through the Managing Director that the petitioner will not be entrusted with or burdened with heavy work and his services would be utilized without entrusting him with heavy duty and the petitioner has been transferred only from one unit to another unit in the same Branch of Dindigul and thereby, virtually, there would be no hardship or inconvenience caused to him.

6. Recording the submission made by the learned Standing counsel for the respondents and the assurance given by the Managing Director that the petitioner would not be entrusted with heavy duty in view of his age and at the fag end of his service, this Court is not inclined to interfere with the impugned order of transfer.

7. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Bye-Pass Road,
Madurai.



2.The General Manager,
Tamil Nadu State Transport Corporation, Dindigul
Division,
Dindigul District.

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**W.P (MD) No.20821 of 2021
30.11.2021**

RD(31.12.2021) 3P 3C