



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.01.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**W.P. (MD)No.24689 of 2018**

**and W.M.P. (MD) Nos.22387, 22388 & 22389 of 2018**

**(Through Video Conference)**

WEB COPY

R.Selvapandi

... Petitioner

Vs

1. The General Manager,  
The Tamil Nadu State Transport Corporation,  
Madurai (Limited),  
Dindigul Region,  
Cumbum - II Branch,  
Theni District.

2. The Branch Manager,  
The Tamil Nadu State Transport Corporation,  
Madurai (Limited),  
Dindigul Region,  
Cumbum - II Branch,  
Theni District.

3. The General Manager,  
The Tamil Nadu State Transport Corporation,  
Virudhunagar Region,  
Virudhunagar District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records pertaining to the impugned transfer order passed by the 1<sup>st</sup> respondent in Ref:Admin/P3/785 dated 12.11.2018, quash the same as illegal and consequently direct the 1<sup>st</sup> respondent to work under the 1<sup>st</sup> respondent.

|                 |                                             |
|-----------------|---------------------------------------------|
| For Petitioner  | : Mr.K.Anbarasan                            |
| For Respondents | : Mr.J.Senthilkumariah,<br>Standing Counsel |

**O R D E R**

The impugned order of transfer was passed on 12.11.2018 transferring the petitioner from Cumbum-II, Dindigul Region to Virudhunagar Region, on deputation basis, for administrative reasons. In view of the interim orders granted by this Court, the petitioner is continuing in the same Cumbum-II Branch of the respondent Corporation. The petitioner is now aged about 56 years and among the various grounds raised, he had also raised the ground on medical ailments.



2. Though the interim order was granted by this Court on 14.12.2018, no steps have been taken by the respondents to have the stay vacated or has any counter been filed.

3. This Court is of the view that since the petitioner herein has produced certain medical certificates with the recommendations for heart surgery and other cardiac problems and also taking into account, that he has has been continuing to work in the same post from 12.11.2018 onwards, it would not be appropriate to give an effect to the transfer order passed two years back.

4. On a comprehensive consideration of the reasons assigned above, the impugned order in Ref:Admin/P3/785 dated 12.11.2018 stands quashed. Accordingly, the writ petition stands allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

**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 General Manager,  
The Tamil Nadu State Transport Corporation,  
Madurai (Limited),  
Dindigul Region,  
Cumbum - II Branch, Theni District.
2. The Branch Manager,  
The Tamil Nadu State Transport Corporation,  
Madurai (Limited),  
Dindigul Region,  
Cumbum - II Branch, Theni District.
3. The General Manager,  
The Tamil Nadu State Transport Corporation,  
Virudhunagar Region, Virudhunagar District.

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ES (CO)

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