



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.8361 of 2022

and

W.M.P.Nos.8330 & 8332 of 2022

P.Satyanarayanan

...Petitioner

vs.

1.Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kanchipuram Region,
Rep. by its General Manager,
Kanchipuram.

2.The Branch Manager,
Tambaram Depot,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kanchipuram.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records on the file of the respondents relating to the impugned order of the 1st respondent dated 18.03.2022 in proceeding No.86/P4/TNSTC (Villupuram) LTD/KPM/2020 and the 2nd respondent order dated 22.03.2022 in TR.No.18575/RM(TRM)/TNSTC/2022 and quash the same.

For Petitioner : Mr.T.Saikrishnan

For Respondents: Mr.M.Bindran
Additional Government Pleader

O R D E R

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



2. The case of the petitioner in brief:

The petitioner herein is working as Technical Helper in respondent Corporation. The 1st respondent has issued a transfer order on 18.03.2022. The petitioner has challenged the impugned transfer order on the ground that the petitioner is a member of a Trade Union recognized by one political party. Due to the political reasons, the aforesaid impugned order has been passed. Hence the petitioner made a representation to the 2nd respondent to reconsider the said transfer order. But, no order has been passed till date. Hence, he filed this instant writ petition before this Court.

3. The learned counsel appearing for the petitioner would submit that the impugned transfer order is vindictive in nature.

4. Mr.M.Bindran, learned Additional Government Pleader takes notice for the respondents and he would submit that the aforesaid transfer order is only on the basis of administrative reasons.

5. As per the decision of Apex Court, transfer is not a matter of right and it is an incident of service. In view of the aforesaid decision, this Court cannot interfere with the transfer order passed by the 1st respondent. However, this Court is inclined to consider the petitioner's request based on the allegation made by the petitioner that the said transfer is vindictive in nature. Therefore, this Court directs the 1st respondent to consider the petitioner's representation and pass appropriate orders on its own merits and in accordance with law, within the period of six weeks, from the date of receipt of a copy of this order. Till such time, the respondents are directed to maintain status quo, as on today.

6. With the above observation and direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



uma
To

1.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kanchipuram Region,
Kanchipuram.

2.The Branch Manager,
Tambaram Depot,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Kanchipuram.

+1cc to Mr.T.Saikrishnan, Advocate Sr.23576

W.P.No.8361 of 2022
and

W.M.P Nos.8830 & 8332 of 2022

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srg 29/04/2022