



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.Nos.8874 of 2022
and W.M.P.Nos.8710 and 8711 of 2022

M.Subramaniam

... Petitioner

Vs.

1. Tamil Nadu State Marketing Corporation Ltd
Rep by its Managing Director,
CMDA Tower - II, IV Floor,
Gandhi Irvin Bridge Road,
Egmore, Chennai - 600 008.

2. The Senior Divisional Manager,
Tamil Nadu State Marketing Corporation Ltd
No.305 A, Vilankurichi Road,
Peelamedu, Coimbatore - 641 004.

3. The District Manager,
Tamil Nadu State Marketing Corporation Ltd,
IMFS Depot, Suriyampalayam,
Vasavi College Post, Erode District.

4. D.Selvan

... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, calling for the records relating impugned orders bearing Na.Ka.No.387/2022/2 dated 17.03.2022 issued by the 2nd respondent and quash the same and directing the respondents herein to consider the petitioner for the same shop i.e., Shop No.3809.

For Petitioner : Mr.A.M.Amutha Ganesh

For Respondents : Mr.K.Sathish Kumar,
1 to 3 Standing counsel



O R D E R

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

WEB COPY

2. The case of the writ petitioner is that the petitioner was appointed as Shop Supervisor on contract basis, in the respondent Corporation and subsequently, he was transferred to various places. Presently, the petitioner is working in Shop No.3809 Kavunthapatti. By proceedings dated 17.03.2022, the 2nd respondent vide Na.ka.387/2022/2 has transferred the petitioner from Shop No.3809 Kavunthapatti to Shop No.3407 that too within a short span of 9 months. The said transfer is far away from his residence ie., Shop No.3407, which is approximately 70 km. Challenging the aforesaid transfer order, the petitioner has filed the present writ petition before this Court.

3. The learned counsel for the petitioner would submit that the petitioner is working as consolidated employee in the respondent Corporation. Since the petitioner has been transferred to far away place from the present station, which is approximately 70 km, it is difficult for him to meet out his daily expenses from the entire salary. Hence, he prays to consider the petitioner's re-transfer.

4. There is a force in the contention raised by the learned counsel for the petitioner. When this Court came across several cases, the petitioner being transferred to far away place which is more than 50 km to 100 kms, this Court is of the view that if the respondent Corporation is going to transfer the persons like the petitioner for a long distance, they will be suffered to meet out their expenses in the transferred place. This has to be taken into account while passing transfer orders by the respondent Corporation. Therefore, considering the aforesaid submission made by the learned counsel for the petitioner and to meet the ends of justice, this Court is inclined to direct the 2nd respondent to consider the petitioner's representation and pass appropriate orders in accordance with law, by taking note of the aforesaid submission made by the learned counsel for the petitioner, as expeditiously as possible, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above observation, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//



To

- W.P.Nos.8874 of 2022
and W.M.P.Nos.8710 & 8711 of 2022

<https://hcservices.ecourts.gov.in/hcservices/>