



WEB COPY

W.P.No. 36609 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 36609 of 2016

and

W.M.P.Nos. 31478 & 31479 of 2016

S. Srinivasan

... Petitioner

Vs.

Additional Chief Secretary
Industries Commissioner and Director of
Industries and Commerce,
Department of Industries,
Guindy, Chennai – 600 032.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order dated 23.09.2016 of the respondent herein in proceedings No. 28578/PMT4/2015 and quash the same and consequently direct the respondent herein to permit the petitioner to join the service as Driver in the Directorate of Industries and Commerce, Guindy, Chennai – 600 032 and consequently direct the respondent to consider the representation of the petitioner for transfer to District Industries Centre, Thiruvallore.

For Petitioner	: Ms. Meena Rukumani for M/S. AL. Ganthimathi
For Respondent	: Mr. S. Balamurugan Government Advocate



ORDER

WEB COPY

The order of transfer dated 23.09.2016, posting the writ petitioner from Chennai to Karur, is under challenge in the present writ petition.

2. The impugned order of transfer, reveals that the petitioner went on leave and on expiry of leave, he submitted an application for joining duty. At that point of time, on administrative grounds, the respondent issued an order of transfer, transferring the writ petitioner to Karur. Hence, the petitioner filed the present writ petition.

3. Transfer is an incidental to service, more so, a condition of service. The post or place can never be claimed as a matter of choice by the Government servants. The competent authorities are empowered to effect transfers in the public interest and to run the public administration in a smooth manner. The High Court in exercising the powers of Judicial Review under Article 226 of the Constitution of India, is not expected to interfere with the routine administration of the Government departments. The competent authorities are bound to assess the public interest and



accordingly, post the employees for efficient public administration. In the present case, the petitioner, on expiry of leave, submitted a joining report and he was post at Karur, instead of joining, he filed the present writ petition.

4. The learned Government Advocate appearing on behalf of the respondent now furnished a copy of the order issued by the Commissioner of Industries and Commerce in proceedings dated 01.08.2022, which reveals that, on administrative grounds, the petitioner was transferred to office of the Regional Joint Director, Guindy, Chennai.

5. In view of the said transfer order issued on 01.08.2022, no further consideration is required. That apart, the impugned order of transfer is also not infirm. For all these reasons, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

03.11.2022

mrn
Index : Yes / No
Speaking order / Non-Speaking order



WEB COPY

W.P.No. 36609 of 2



S.M.SUBRAMANIAM, J.

mrn

To
The Additional Chief Secretary
Industries Commissioner and Director of
Industries and Commerce,
Department of Industries,
Guindy, Chennai – 600 032.

W.P.No. 36609 of 2016
and
W.M.P.Nos. 31478 & 31479 of 2016

03.11.2022