WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24476 of 2019

J.Vijayakumar ... Petitioner

Vs.

1. The Commissioner,
   Transport Department,
   Ezhilagam,
   Chepauk,
   Chennai – 600 005.

2. The Director,
   Urban and Rural Development,
   Panagal Maligai,
   Saidapet,
   Chennai – 600 015.

3. The District Collector,
   (Development Section),
   Tiruvannamalai District,
   Tiruvannamalai – 606 604. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to

https://www.mhc.tn.gov.in/judis

WEB COPY

consider the petitioner representation dated 12.02.2019 seeking transfer from office of the third respondent to the office of the first respondent.

For Petitioner : Mrs.J.Pavithra
for Mr.M.Jaikumar

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the respondent to consider the representation submitted by the writ petitioner on 12.02.2019, seeking transfer from the office of the third respondent to the office of the first respondent.

2. The petitioner is now working as Junior Assistant in the Urban and Rural Development Department, Tiruvannamalai. The representation submitted by the writ petitioner reveals that he made a request to transfer him to the Transport Department. An employee working in the Urban and Rural Development Department cannot be transferred to the Transport Department based on his representation. Such transfers or deputation are to be made only by the Government, if at all any administrative exigency arises.

https://www.mhc.tn.gov.in/judis

WEB COPY

3. An employee has no right to seek transfer from one Department to another Department. Transfer being incidental to service, more so, condition of service. The competent authorities alone are empowered to take decision and therefore, the representation submitted by the writ petitioner in this regard is absolutely misconceived. Thus, the petitioner has not even established a semblance of legal right, so as to consider the relief as such sought for in the present writ petition.

4. Accordingly, the writ petition stands dismissed. No costs.

30.11.2022

Index:Yes/No
Speaking order/Non-speaking order
rgm

https://www.mhc.tn.gov.in/judis

WEB COPY

S.M.SUBRAMANIAM, J.

rgm

To

1. The Commissioner,
   Transport Department,
   Ezhilagam,
   Chepauk,
   Chennai – 600 005.

2. The Director,
   Urban and Rural Development,
   Panagal Maligai,
   Saidapet,
   Chennai – 600 015.

3. The District Collector,
   (Development Section),
   Tiruvannamalai District,
   Tiruvannamalai – 606 604.

W.P.No.24476 of 2019

30.11.2022

https://www.mhc.tn.gov.in/judis