



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A(MD)No.367 of 2022

and C.M.P. (MD) No.3730 of 2022

S.Sankar Ganesan

.. Appellant/Petitioner

Vs

The Commissioner of Municipal Administration,  
Chepauk,  
Chennai - 600 005.

.. Respondent/Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 23.03.2022 made in W.P.(MD) No. 21319 of 2021.

**Prayer in WP(MD). 21319 OF 2021 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorari, calling for the records pertaining the impugned order dated 25-11-2021 in Na.Ka.No.260/2021/K1 passed by the Respondent and quash the same.

For Appellant : Mr.J.Barathan

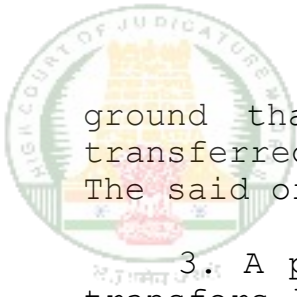
For Respondent : Mr.K.Balasubramani  
Special Government Pleader

**JUDGMENT**

**[Delivered by R.VIJAYAKUMAR, J.]**

The petitioner is working as a Manager in Aruppukottai Municipality. By way of the impugned order dated 25.11.2021, he was transferred to Virudhunagar Municipality. The said order was challenged before learned Single Judge on the ground that the petitioner is a differently-abled-person and the said transfer has been effected in the middle of the academic year. The petitioner further contended that, he has just completed eight months as Manager at Aruppukottai Municipality.

2. Learned Single Judge after considering the allegations raised by the writ petitioner has dismissed the writ petition on the



ground that, transfer is an incident of service and has been transferred to a place just 25 kms away from the present posting. The said order is under challenge in the writ appeal.

3. A perusal of the impugned order of transfer shows that, the transfers have been effected on the request made by the Managers of the Municipalities. This clause in the order is nowhere disputed in the writ petition. Apart from that, in case, if the writ appeal is allowed, all other transfers effected in the impugned order will get disturbed. However, none of the parties to whom transfer orders have been issued have been impleaded as parties in the present writ petition. That apart, the petitioner has been transferred only to a very nearby place of 25 kms from where he is working. We therefore find no error or irregularity in the order passed by learned Single Judge.

4. For the above reasons, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

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/ /2022

Sub Assistant Registrar(CS)

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To

The Commissioner of Municipal Administration,  
Chepauk,  
Chennai - 600 005.

+1 CC to M/s.T.R. JEYAPALAM, Advocate (SR-20533[F] dated 22/04/2022)  
W.A(MD)No.367 of 2022  
22.04.2022

KM(CO)  
GC(05.05.2022) 2P 3C