



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

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W.P.(MD) Nos.9136, 9146, 9282, 9291 & 9293 of 2019

and

W.M.P.(MD) Nos.7119, 7123, 7291, 7298 & 7302 of 2019

V.Balamurugan	... Petitioner
	in W.P.(MD) No.9136 of 2019
D.Mareeswaran	... Petitioner
	in W.P.(MD) No.9146 of 2019
S.Kaleeswaran	... Petitioner
	in W.P.(MD) No.9282 of 2019
O.Jawaharlar Nehru	... Petitioner
	in W.P.(MD) No.9291 of 2019
D.Kalimuthu	... Petitioner
	in W.P.(MD) No.9293 of 2019
	vs.

Tamil Nadu State Marketing Corporation Limited
(TASMAC)
represented by its District Manager
Virudhunagar District
Virudhunagar

... Respondent in all WP's

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records of the respondent in his proceedings in Na.Ka.No.A5/1135/18, dated 09.04.2019 and quash the same.

In all WP's

For Petitioner : Mr.V.Karthikeyan

For Respondent : Mr.H.Arumugam, Standing Counsel

C O M M O N O R D E R

Since the issues involved in all these writ petitions are one and the same, they are taken up and heard together and are being disposed of by this common order.

2. When the matter is taken up for hearing, the learned counsel for the petitioners made a submission that during the pendency of the present writ petitions, the petitioner in W.P.(MD) No.9293 of 2019 was further transferred to some other place and therefore, the cause does not exist and the relief sought for by the said petitioner has become infructuous.



3. In respect of other writ petitions, namely, W.P.(MD) Nos.9136, 9146, 9282 & 9291 of 2019 are concerned, the orders of transferring the petitioners from one place to another place are under challenge.

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4. This Court is of the considered opinion that transfer is an incidental to service, more so a condition of service. The order of transfer can be challenged on limited grounds, namely, jurisdiction or *mala fides*. Administrative transfers need not be interfered with by the Courts in a routine manner. The public servants are bound to serve in a place where they are posted in the interest of public. However, in the present case, the learned counsel for the petitioners made a submission that in respect of some personal grievance, representations have been made by the petitioners to the Authority concerned. If that be so, it is for the Authority concerned to consider the same. Courts cannot offer any opinion the matter of consideration of such personal grounds, which is not connected with the administrative transfers to be issued in the interest of the public and for maintaining efficient public administration.

5. Accordingly, W.P.(MD) No.9293 of 2019 is disposed of as infructuous and W.P.(MD) Nos.9136, 9146, 9282 & 9291 of 2019 are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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TO:

The District Manager

Tamil Nadu State Marketing Corporation Limited (TASMAC)

Virudhunagar District, Virudhunagar

+1 CC to M/s.V.KARTHIKEYAN, Advocate (SR-6331[F] dated 15/02/2022)

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-6265[F]dated 15/02/2022)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-6268[F] dated 15/02/2022)

**W.P. (MD) Nos.9136, 9146, 9282, 9291 &
9293 of 2019**

**and
W.M.P. (MD) Nos.7119, 7123, 7291, 7298 &
7302 of 2019
14.02.2022**