

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21753 of 2022

and

W.M.P.(MD)Nos.15919 and 15920 of 2022

N.Saral

... Petitioner

Vs

1.The District Collector,
Madurai District.

2.The Commissioner of Panchayat Union,
Thirumangalam Panchayat Union,
Madurai District.

3.A.Murugeswari

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the Impugned Order in Na.Ka.No.20382/2020/Sa.Vu.Thi-1 dated 03.09.2022 on the file of the Respondent No. 1 and quash the same as illegal in so far as the S.No.2, is concerned.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.R.Suresh Kumar,
Addl. Government Pleader for R1.
Mr.S.R.A.Ramachendran,
Addl. Government Pleader for R2.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the respondents 1 and 2.

2.The petitioner is working as a Noon Meal Organizer at Panchayat Union Middle School, Rayapalayam, Thirumangalam Union. She is also holding additional charge at Government High School, Vidathikulam. She sought request transfer on permanent basis to Vidathikulam. Her request was also recommended by the Commissioner, Thirumangalam Panchayat Union. The grievance of the petitioner is that without considering the same, the first respondent had posted the third respondent at Government High School, Vidathikulam. Questioning the appointment of the third respondent, this writ petition has been filed.

3.The petitioner has not been disturbed from her place of work. She only sought request transfer to a particular place. It is for the authority concerned to accept the same or not. Non consideration of the application for request transfer cannot be a ground to invalidate an order of regular transfer. Only if the writ petitioner's legal rights have been infringed, this Court would be justified in interfering. When the writ petitioner has no legal right as such, the

question the setting aside the impugned order of transfer made in favour of the third respondent does not arise at all. The writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

14.09.2022

Index : Yes / No

Internet : Yes/ No

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G.R.SWAMINATHAN, J.

ias

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