



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.21311 of 2021

and W.M.P.(MD) Nos.17876 & 17878 of 2021

WEB COPY

A.Muniyandi

... Petitioner

-vs-

1.The Director of Fire and Rescue Services,
Tamilnadu Fire and Rescue Services,
No.17, Rukmani Lakshmipathi Road,
Egmore, Chennai - 600 008.

2.The District Collector,
Fire and Rescue Services,
Tenkasi District.

3.The Station Officer,
Fire and Rescue Services,
Vasudevanallur, Tenkasi District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records pertaining to the impugned transfer order passed by the 1st respondent in Na.Ka.No.22/E3/2021 dated 22.11.2021 and the consequential relieving order passed by the 3rd respondent in Ma.A.A.Me.Ku.Na.Ka.No.6730/A/2021 dated 23.11.2021 and quash the same as illegal.

For Petitioner	: Mr.L.Shaji Chellan
For Respondents	: Mr.Veera Kathiravan, Additional Advocate General assisted by Mr.M.Ramesh, Government Advocate

O R D E R

The order of transfer passed by the 1st respondent in proceedings dated 22.11.2021 and the consequential relieving order passed by the 3rd respondent in proceedings dated 23.11.2021 are under challenge in the present writ petition.

2.The writ petitioner is a Fireman serving in the Fire Services and Rescue Department. He was transferred from Vasudevanallur, Tenkasi District to Thiruvvarur, Thiruvvarur District.

3.The learned Additional Advocate General appearing on behalf of the respondents mainly contended that there was an issue raised by the writ of the writ petitioner, as the writ petitioner was



missing and she brought certain political persons in the Fire Services Office and created issues, which resulted in passing an order of administrative transfer transferring the writ petitioner from Tenkasi to Thiruvavarur.

4. When certain issues are raised by the wife of the writ petitioner in the office of the Fire Services Department, the Department has taken a decision to transfer the petitioner. Such transfers are administrative in nature.

5. Transfer *per se* cannot be considered as a cause for filing a writ petition except on the ground that the order of transfer is tainted with *mala fides* or without jurisdiction. In all other circumstances, the administrative transfers are to be implemented in the interest of public administration.

6. High Courts are not expected to interfere with the day-to-day administration of the uniformed forces. There may be varieties of reasons for effecting such administrative transfers. Such reasons cannot be gone into by exercising the power of judicial review under Article 226 of the Constitution of India. Thus, personal grievances, if any, are to be placed before the competent authority for the purpose of redressal in the manner known to law. However, High Court cannot grant any relief merely based on certain family or personal grievances, which are to be verified and in this regard, High Court cannot conduct a roving enquiry. In lieu of suspension, transfers can be issued. These being the basic principles, this Court do not find any infirmity in respect of the order of transfer and the consequential relieving order.

7. The learned Additional Advocate General brought to the notice of this Court that the petitioner has neither reported in the present place nor joined in the transferred place.

8. Learned counsel for the petitioner states that the petitioner is proceeding on medical leave.

9. These being the facts, the petitioner is not entitled for any relief and consequently, this Writ Petition stands dismissed. However, there shall be no order as to costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



To

1.The Director of Fire and Rescue Services,
Tamilnadu Fire and Rescue Services,
No.17, Rukmani Lakshmipathi Road,
Egmore, Chennai - 600 008.

2.The District Collector,
Fire and Rescue Services, Tenkasi District.

3.The Station Officer,
Fire and Rescue Services,
Vasudevanallur, Tenkasi District.

+1 CC to M/s.SPL GP (SR-12484[F] dated 16/03/2022)

W.P. (MD) No.21311 of 2021
14.03.2022

abr

MS/28.03.2022/3P.5C