



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2022

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P.(MD) No.21319 of 2021

and

WMP (MD) No.17888 of 2021

S.Sankar Ganesan

... Petitioner

-Vs-

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for records pertaining to the impugned order dated 25.11.2021 in Na.Ka.No.260/2021/K1 passed by the respondent and quash the same.

For Petitioner

: Mr.T.R.Jeyapalam

For Respondent

: Mr.M.Ramesh

Government Advocate

O R D E R

The order of transfer transferring the writ petitioner from Aruppukottai to Virudhunagar is under challenge in the present writ petition.

2. The petitioner states that he is a differently abled person and working as a Manger in the Municipal Administration Department. The order of transfer reveals that by invoking the Tamil Nadu Municipal Service rules, more specifically, Rule 31(c) the petitioner was transferred from Aruppukottai to Virudhunagar on administrative ground. The post of Manager is a responsible position and his duties and responsibilities in a Municipal Administration is onerous. Therefore, the petitioner is bound to work wherever he is posted. Merely based on such misplaced sympathy such high officials cannot avoid transfers. More so, in Municipal Administration, the officials working in a higher position cannot be kept in a same place for several years.

3. This apart, the learned Additional Government Pleader brought to the notice of this Court that the distance between Aruppukottai and virudhunagar is 25 K.M.. Therefore, the transfer would not affect the normal life of the writ petitioner. Transfer



being an incidental to service and conditions of service, High Court cannot interfere with the administrative transfer issued under the rules in force. Thus, the petitioner has not established any acceptable grounds for the purpose of considering the relief.

4. Accordingly, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MPK

To

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

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-14061[F] dated
24/03/2022)

+1 CC to M/s.SPL GP (SR-14293[F] dated 24/03/2022)

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