



W.P.No.20730 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.20730 of 2023 & WMP.No.20098 of 2023

K.Ravichandran

... Petitioner

Vs

1. The Principal Secretary to Government,
Department of Higher Education,
Fort St. George, Chennai – 600 009.
2. The Director,
Department of Collegiate Education,
9th Floor, EVK Sampath Buildings,
College Road, Chennai – 6.
3. The Principal,
Government Arts College,
Coimbatore.

... Respondents

Prayer:- Writ Petition filed, under the Article 226 of Constitution of India, to issue a Writ of Certiorari calling for the records of the third respondent in Ref. No. Office Order No.26/2023 dated 04.07.2023 and quash the same.



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For Petitioner : Mr.B.Kumarasamy

For Respondents : Mr.M.Alagugowtham
Government Advocate

ORDER

This Writ Petition has been filed challenging the Order of transfer of the third respondent in Ref. No. Office Order No.26/2023 dated 04.07.2023.

2. It is the case of the petitioner that the petitioner was originally appointed as watchman through the Coimbatore District Employment Exchange in Government Arts College at Coimbatore by an Order dated 01.08.1991. Thereafter, his services has been regularized on 21.05.1992 by an Order dated 15.09.1993. Subsequently, he was promoted as an Office Assistant as per order dated 24.07.1998 vide reference No.Na.Ka.No.3018/G/98 of the third respondent. Thereafter, he was promoted as Laboratory Assistant from 09.05.2023 and his pay scale was 3050 – 75 – 3950 – 80 – 4590. The said post has been redesignated as 'Assistant Programmer' by Order dated 26.08.2010 and his pay scale was



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5200-20200 plus grade pay of Rs.2400/- and after all deductions, he was getting 17999/- per month as take home salary. As per 'One Man Commission' recommendation, existing scale of pay of Laboratory Assistant is revised from Rs.5200 – 20200 +1900 to Rs.9300 – 34800 + 4200. But the said revision was not effected. In this regard, the petitioner along with one Madhaiyan has filed a Writ Petition in W.P.No.26124 of 2018 and the same is pending. In the meanwhile, the third respondent insisted the petitioner to withdraw the above Writ petition and as he has not withdrawn the Writ Petition, the petitioner has been transferred. Therefore, it is the contention of the petitioner that the transfer has been effected malifidely in the middle of the academic year. Hence, seeks to quash the same.

3. At the outset, this Court is of the view that the malafide intention contended by the petitioner is unfounded and without any materials to substantiate the same. Further, the transfer is effected from Zoology Department to Chemistry Department, within the same campus. When the transfer is incidental in service of a Government servant, I do not



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find any merits in this Writ Petition and this Writ Petition is liable to be dismissed.

4. Accordingly, this Writ Petition is dismissed. Consequently connected miscellaneous petition is closed. No costs.

13.07.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

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N.SATHISH KUMAR, J.

VTC

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