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W.P.No.23362 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.23362 of 2023
and
W.M.P.No.22900 of 2023

S.Saravanapandian

... Petitioner

Vs.

1.The Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai – 600 009.

2.The Tamil Nadu Corporation for
Development of Women Ltd.,
A Government of Tamil Nadu Undertaking
Represented by its Managing Director,
Anna Thersa Mahalir Valagam,
First Floor, Valluvarkottam High Road,
Nungambakkam,
Chennai – 600 034.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records of the 2nd respondent order in ROC.No.854 / HR / 2023 dated 14.07.2023 pertaining to the transfer of petitioner in S.No. 37 and consequently direct the 2nd respondent to permit the petitioner to continue with his work at Thanjavur



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For Petitioner : Mr.S.Sathish Kumar
For R1 : Mr.E.Vedabagath Singh
Special Government Pleader
For R2 : Mrs.M.Jeyanthi
Additional Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the 2nd respondent, dated 14.07.2023, transferring the petitioner from Thanjavur to Kancheepuram.

2.The petitioner states that he was working as Assistant Project Officer in the respondent Corporation on contract basis at Thanjavur and he has been transferred to Kancheepuram District, by the 2nd respondent, vide impugned order dated 14.07.2023. It is the grievance of the petitioner that, from the year 2018, he has been transferred for more than three times. Hence, according to him, the impugned order is malice and attached with motives. Therefore, the same is put to challenge in this writ petition.



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3. Heard the learned counsel for the petitioner, Mr.E.Vedabagath Singh, learned Special Government Pleader, who takes notice for the 1st respondent and Mrs.M.Jeyanthi, learned Additional Government Pleader, who takes notice for the 2nd respondent.

4. I have perused the entire transfer order. It is seen that the Tamil Nadu Corporation for Development of Women Ltd., (a Government of Tamil Nadu Undertaking) has passed the impugned transfer order, transferring not only the petitioner but also 88 others to various other places on administrative grounds. Therefore, this Court is of the view that, merely because the petitioner had been transferred from Ariyalur to Perambalur in 2018 and thereafter, to Tiruchirapalli and Chennai during 2019 and Thanjavur in the year 2020, it cannot be said that his transfer is attached with *mala fides*. In fact, the petitioner was earlier accommodated to nearby places and thereafter, he has been transferred to Chennai, from where, he was transferred to Thanjavur. When the transfer has been effected on administrative exigencies and when many others along with petitioner have also been transferred vide the impugned order, the petitioner cannot stall the transfer, as a matter of right. Mere vague



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allegations of maliciousness and motives will not be helpful to the petitioner. Unless strong materials are placed on record to prove *mala fides*, mere vague allegations alone are not sufficient to interfere with the transfer order.

5. Therefore, I do not find any merit to entertain this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

10.08.2023

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai – 600 009.

2. The Managing Director,
Tamil Nadu Corporation for Development of Women Ltd.,
A Government of Tamil Nadu Undertaking
Anna Thersa Mahalir Valagam,
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N. SATHISH KUMAR, J.
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