



W.P.No.24490 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24490 of 2023
W.M.P.Nos.23916 & 23917 of 2023

K.Gopinath

...Petitioner

-Vs-

1. The Managing Director,
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Aavin Illam, Head Office,
No.3A, Pasumpon Muthuramaligam Salai,
Nandanam, Chennai – 600 035.
2. The Joint Managing Director,
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Ambattur Industrial Estate,
Chennai – 600 098.
3. The General Manager (Marketing)
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Aavin Illam, Head Office,
Corporate Office, Marketing Unit,
No.3A, Pasumpon Muthuramaligam Salai,
Nandanam, Chennai – 600 035.



W.P.No.24490 of 2023

4. The Deputy General Manager (Engg.)

Central Dairy,
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Madhavaram Milk Colony,

5. V.Rajaji

Manager (Engg.)
Office of the DGM Engg./Production,
Central Dairy,
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Madhavaram Milk Colony,
Madhavaram, Chennai – 600 051.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records in the Transfer order vide the Office proceedings No.319/PE2/2022-3 dated 09.08.2023, on the file of the first respondent and the consequential relieving the order issued by the third respondent vide GM(Mkg.) Proceedings No.08/M1/Mkg/2023 dated 10.08.2023, and quash the same.

For Petitioner : Mr.L.Abdul Basith

For Respondents

For R1 to R4 : Mr.V.Rajinikanth

ORDER

The Writ Petition has been filed challenging the Transfer order dated 09.08.2023 passed by the first respondent vide the Office



W.P.No.24490 of 2023

proceedings No.319/PE2/2022-3, and the consequential relieving the order dated 10.08.2023, issued by the third respondent vide GM(Mkg.) Proceedings No.08/M1/Mkg/2023, thereby transferring the petitioner to Central dairy, Madhavarani, JMD's Unit.

2. The petitioner had joined service of the Tamil Nadu Cooperative Milk Producers Federation Limited in the post of Supervisor on 06.03.2000. After promotion, now he is working as Manager (Engineering), Engineering Division, Marketing unit of the third respondent's office located at Nandanam, Chennai. When the petitioner was transferred to the present post, there was some irregularity committed by the fifth respondent and also some files were missing. Therefore, he lodged complaint. Now the very same person transferred to the petitioner's place and the petitioner now transferred to the fourth respondent office. Hence, the petitioner filed this present writ petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a physically challenged person and he is having 60% locomotor disability. The petitioner therefore submitted detailed



W.P.No.24490 of 2023

representation to reconsider his transfer. However, the same was not considered by the respondents and hence he prayed to allow the present writ petition.

4. Heard the learned counsel appearing on either side and perused the material placed before this Court.

5. On perusal of record revealed that the petitioner was working as Manager that too in the marketing unit. He has to work in the entire jurisdiction of his office and now the petitioner has been transferred from Nanathanam to Madhavaram. When the petitioner is able to work in the marketing division as Manager, then he can very well go to his office at Madhavaram. That apart, it is not the case of the petitioner that he cannot move without the help of others.

6. Normally, this Court is not entertaining the writ petition challenging the order of transfer unless it is proved that it was issued in bias manner in order to wreak vengeance. Further after the order of transfer, the petitioner was relieved from the said post and the fifth



W.P.No.24490 of 2023

respondent joined in that post. Therefore, this Court finds no infirmity or illegality in the order passed by the first respondent. However, in view of his disability, the petitioner is liberty to submit representation before the first respondent and the first respondent is directed to dispose it on merits and in accordance with law.

7. With the above direction, the Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to cost.

21.08.2023

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
rts

To

1. The Managing Director,
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Aavin Illam, Head Office,
No.3A, Pasumpon Muthuramaligam Salai,
Nandanam, Chennai – 600 035.
2. The Joint Managing Director,
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Ambattur Industrial Estate,
Chennai – 600 098.



WEB COPY



W.P.No.24490 of 2023

G.K.ILANTHIRAIYAN. J.

rts

3. The General Manager (Marketing)
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Aavin Illam, Head Office,
Corporate Office, Marketing Unit,
No.3A, Pasumpon Muthuramaligam Salai,
Nandanam, Chennai – 600 035.
4. The Deputy General Manager (Engg.)
Central Dairy,
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Madhavaram Milk Colony,
5. The Manager (Engg.)
Office of the DGM Engg./Production,
Central Dairy,
The Tamil Nadu Cooperative Milk
Producers Federation Limited,
Madhavaram Milk Colony,
Madhavaram, Chennai – 600 051.

W.P.No.24490 of 2023

W.M.P.Nos.23916 & 23917 of 2023

21.08.2023