



WEB COPY



W.P.No.25536 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

**W.P.No.25536 of 2022 and**  
**W.M.P. Nos.24529 and 24532 of 2022**

S.Ambika

... Petitioner

Vs

1.Union of India,  
rep. by its Secretary to Government of India,  
Ministry of Defence,  
South Block,  
New Delhi – 110 011.

2.Directorate General of Signals/Signal-4,  
GS Branch, Integrated Head Quarter of  
Ministry of Defence (Army),  
Defence Head Quarters Post Office,  
New Delhi – 110 011.

3.The Chief Record Officer,  
Jammu and Kashmir Light  
Infantry Record Office,  
PIN 911 097, C/O 56 APO.

4.The Commanding Officer,  
4<sup>th</sup> Battalion Jammu and Kashmir  
Light Infantry Office,  
PIN 911 004, C/O 56 APO.



W.P.No.25536 of 2022

5.The Commanding Officer,  
27 SCG, NSGO HQ,  
Regional Hub Nedukundram Village,  
Kalpakkam, Vandalur,  
Chennai – 600 048.

6.Nb.Sub. Clk.Jay Shankar Jha

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the order of posting dated 05.05.2022 vide PO No.220/MS/Clk/13/RA/2022 and consequent order of rejection vide office letter No.220/37/RA dated 08.09.2022 passed by the third respondent and quash the same and consequently, direct the third respondent to post the petitioner's husband on last leg posting at NSG HG, Regional Hub, Chennai – 600 127 for the remaining period for his service i.e. till 31.01.2025.

For Petitioner : Mr.R.Balaramesh

For Respondents : Mr.A.R.Sakthivel,  
Senior Panel Counsel (CGSC)  
for R1 to 5

### **ORDER**

Heard Mr.R.Balaramesh, learned counsel for the petitioner and  
Mr.A.R.Sakthivel, learned Senior Panel Counsel for respondents 1 to 5.



W.P.No.25536 of 2022

WEB COPY

2.The petitioner is aggrieved against the order of rejection rejecting her husband's request to be posted in NSG HQ and Regional hub at Chennai.

3.The petitioner has not produced any proof that her husband made an Application seeking for transfer on last leg posting before 05.05.2022.

4.It is seen that there was only one vacancy, which came to be filled up by transferring the sixth respondent to the vacancy. In the absence of any vacancy, the petitioner's husband, though may be entitled to seek for last leg posting to his native place, cannot be considered for such transfer. As such the rejection order cannot be found fault with.

5.In case any future vacancy arises in and around Chennai, the petitioner's husband is at liberty to make an appropriate application and on receipt of the same, the respondent concerned shall consider the same and pass appropriate orders on its own merits and in accordance with law.



W.P.No.25536 of 2022

6.The writ petition stands dismissed with the above liberty.

Consequently, connected W.M.Ps stand closed. No costs.

**14.06.2023**

Index:Yes/No

Speaking order/Non-speaking order

vga



W.P.No.25536 of 2022

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**M.S.RAMESH,J.**

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