



W.P(MD)No.8961 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8961 of 2023

and

W.M.P.(MD)Nos.8137 & 8138 of 2023

Perumal

... Petitioner

Vs.

1.The General Manager,
Staff Section,
Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
Pudukkottai Zone,
Pudukkottai.

2.The Assistant Manager,
Disciplinary,
Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
Pudukkottai Zone,
Pudukkottai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the first respondent in his proceedings dated 22.12.2022 in பார்வை/தஅபோக/கும்ப/புது/பபி1/F2112/2022 and subsequently, issued reliving order dated 29.03.2023 and quash the same as illegal and consequently, directing the respondents to allow the petitioner to discharge his duties at Pudukkottai Municipality zone as usual.



WEB COPY



W.P(MD)No.8961 of 2023

For Petitioner : Mr.B.Jameelarasu

For Respondents : Mr.K.Jegadeesbalan
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner was employed as Conductor in the respondent corporation. He challenges the impugned transfer order on the ground that it is punitive in nature. The petitioner has been transferred from Pudukkottai Rural to Aranthangi. The learned counsel points out that the petitioner was suspended from service on 17.12.2022 and on the same date, the suspension order was also revoked. The disciplinary proceedings are presently pending. The learned counsel wants me to appreciate the impugned transfer order in this factual background. He would point out that this Court has consistently held that an order of transfer if it is punitive in nature is liable to be interfered with. He also would state that there is some other angle also. He seeks to demonstrate the same by pointing out that even though the present order was passed on 22.12.2022, he was relieved from service only on 29.03.2023. He wants this Court to set aside the impugned order and to grant relief as prayed for.



W.P(MD)No.8961 of 2023

WEB COPY

3. I am not swayed by the submission of the learned counsel appearing for the petitioner. The impugned order does not cast any stigma on the petitioner. It only reads that the petitioner is transferred from Pudukkottai Rural to Aranthangi on administrative ground. The learned standing counsel is right in his contention that since transfer is an incident of service, no legal ground has been made out for interference. I sustain the said objection.

4. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

19.04.2023

Index : Yes / No
Internet : Yes/ No
rmi



WEB COPY



W.P(MD)No.8961 of 2023

G.R.SWAMINATHAN, J.

rmi

W.P(MD)No.8961 of 2023

19.04.2023