



W.P.(MD).No.12408 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.12408 of 2023

and

W.M.P.(MD).Nos.10524 and 10525 of 2023

A.Muruganatham

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Deputy Superintendent of Police,
Kumbakonam,
Thanjavur District.

3.The Sub Inspector of Police,
Swamimalai Police Station,
Swamimalai,
Thanjavur District.

4.The Inspector of Police,
Sethu Bava Chathram Police Station,
Sethu Bava Chathram,
Thanjavur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 1st respondent in his



W.P.(MD).No.12408 of 2023

proceedings in D.O.485/2003, Rc.No:A1/1500/2023 dated 11.04.2023 and the consequential impugned order passed by the 3rd respondent in his proceeding Nil dated 27.04.2023 and quash the same as illegal, arbitrary and violation of principles of natural justice and consequently directing the 1st respondent to post the petitioner in the 3rd respondent police station or any of the police station situated in Kumbakonam City based on the petitioner's representation dated 08.09.2022.

For Petitioner : Mr.S.Sankar
For Respondents : Mr.P.T.Thiraviyam,
Government Advocate.

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The impugned order is an order of transfer of the petitioner, which has been made on administrative convenience. Pursuant to the transfer order dated 11.04.2023, the petitioner has also been relieved from his duty on 27.04.2023, which order is also under challenge.

3. This Court in several decisions have consistently held that the Writ Court exercising its powers under Article 226 of the Constitution of India will



W.P.(MD).No.12408 of 2023

not interfere in an order of transfer, when such transfer has been made on administrative grounds. The only ground raised by the petitioner is that he was earlier transferred to the Swamimalai Police Station on 18.07.2022 and within a span of 10 months, he has again been re-transferred, which has caused him serious prejudice.

4. In this background, the petitioner is granted liberty to make an appropriate application before the first respondent herein seeking for re-transfer or transfer to any other place. On receipt of such an application, the first respondent shall consider the same on its own merits and pass appropriate orders in accordance with law within a period of two (2) weeks therefrom.

5. With the above liberty, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.05.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



W.P.(MD).No.12408 of 2023

To

- 1.The Superintendent of Police,
Thanjavur District,
Thanjavur.
- 2.The Deputy Superintendent of Police,
Kumbakonam,
Thanjavur District.
- 3.The Sub Inspector of Police,
Swamimalai Police Station,
Swamimalai,
Thanjavur District.
- 4.The Inspector of Police,
Sethu Bava Chathram Police Station,
Sethu Bava Chathram,
Thanjavur District.



WEB COPY



W.P.(MD).No.12408 of 2023

M.S.RAMESH, J.

Lm

W.P.(MD).No.12408 of 2023

25.05.2023