



W.P.(MD).No.23988 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated: 03.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

**W.P.(MD).No.23988 of 2023
and
W.M.P(MD).No.20144 of 2023**

R.Ramesh

....Petitioner

Vs

1.The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009

2.The General Manager
TNSTC (TNL) Ltd.
Nagercoil Region
Ranithottam
Nagercoil 629 001
Kanyakumari District

3.The Branch Manager
TNSTC (TNL) Ltd.,
Nagercoil Region
Monday Nager Branch
Kanyakumari District

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the transfer orders issued by the second respondent herein No. 238/A2/Tha.A.Po.Ka(Thili)/Nagar/2012) dated 12.09.2023 and the



W.P(MD).No.23988 of 2023

consequential reliving order issued by the 3rd respondent in Memo.No. 005/M3/TNSTC/(NGL)/2023 dated 14.09.2023 and quash the same as illegal and consequently direct the 2nd respondent herein to re-post the petitioner in the post of Senior Conductor in Thingal Nagar Branch, Nagercoil.

For Petitioner : Mr.K.P.Krishna Doss

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The present writ petition has been filed challenging an order of transfer wherein the writ petitioner who is a Conductor has been transferred from Thingal Nagar Branch to Vivegananda Puram, Kanyakumari.

2.According to the learned counsel appearing for the writ petitioner, he was appointed as a Conductor in the year 2010 and he is a member of Bharathiya Mazdoor Sangh and he is having old age parents and two children who are studying in Koovaravilai, Paraicode, Mulagumoodu Post, Kanyakumari District.

3.The learned counsel had further contended that suddenly he has been transferred from Thingal Nagar Branch to Vivegananda Puram which is about



W.P(MD).No.23988 of 2023

40 kms away from the present work place. This would certainly affect his family and his work schedule. The learned counsel had further contended that there are many vacancies in Thingal Nagar Depot and there is shortage of staff and in such circumstance, there was no necessity for the management to transfer him. He had further contended that the drivers who were office bearers of the labour union affiliated to the ruling party, though were transferred, transfer orders have not been given effect to. But due to political pressure, this petitioner alone has been relieved from duty. Hence, he prayed for allowing the writ petition.

4.I have perused the order of transfer. It indicates that the writ petitioner, who is the Senior Conductor, has been transferred from Thingal Nagar Branch to Vivegananda Puram Branch on administrative ground. The order does not reveal that the transfer is punitive transfer. The petitioner has not questioned the jurisdiction of the second respondent to effect transfer. Though the petitioner has alleged that due to influence of the local Minister, he has been transferred, the allegations are so vague and no records have been placed before the Court. That apart, the petitioner is working in Thingal Nagar Branch for the past 15 years and now he has been transferred to another branch. As far as the scope of intervention of this Court in the order of transfer is concerned, it is very limited in nature. Therefore, the impugned



W.P(MD).No.23988 of 2023

order of transfer does not call for any interference. The writ petition lacks merit and the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

03.10.2023.

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
msa

To

1.The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009

2.The General Manager
TNSTC (TNL) Ltd.
Nagercoil Region
Ranithottam
Nagercoil 629 001
Kanyakumari District

3.The Branch Manager
TNSTC (TNL) Ltd.,
Nagercoil Region
Monday Nager Branch
Kanyakumari District



WEB COPY



W.P(MD).No.23988 of 2023

R.VIJAYAKUMAR, J.

msa

W.P.(MD).No.23988 of 2023
and
W.M.P(MD).No.20144 of 2023

03.10.2023