



W.P.(MD).No.25043 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 16.10.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.25043 of 2023

and

W.M.P(MD) No.21251 of 2023

M.Balamurugan

Vs.

...Petitioner

1. The Tahsildar,  
Tiruppuvanam Taluk Office,  
Tiruppuvanam,  
Sivagangai District.

2. The Revenue Inspector,  
Tiruppuvanam,  
Sivagangai District.

3. S.Sabari Rajan

...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 entire records, in relating to the impugned transfer order passed by the first respondent in Na.Ka.A7/4402/2023, dated 06.10.2023 and to quash the same and consequently to direct the first respondent to permit the petitioner to continue his service to the post of Village Assistant in Kazhuker Kadai



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revenue group by considering the petitioner's representation dated 10.10.2023.

For Petitioner : Mr.S.Jeyakarthik  
For Respondents : Mr.S.Shaji Bino  
Special Government Pleader  
For R1 and R2

### **ORDER**

The present Writ Petition has been filed by the Village Assistant challenging an order of transfer from Kazhuker Kadai Revenue Group to Piramanur Revenue Village, Tiruppuvanam Sub-Taluk.

2. According to the learned counsel appearing for the petitioner, one Mr.S.Sabari Rajan has been posted in the vacancy, who is transferred as a result of some pending disciplinary proceedings. The said S.Sabari Rajan should have been accommodated in some other vacancy, which is already available.

3. The learned counsel appearing for the writ petitioner has further contended that as the Village Assistant should reside in the same Village, in



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case of transfer, he would be constrained to shift the entire family to the nearby Village. He further contended that the Village Assistant is responsible for maintaining all the records and that he should be continued in the same Village.

4. Per contra, the learned Special Government Pleader appearing for the respondents 1 and 2 contended that the petitioner has been transferred to another village which is 2 Kilometres away from the present post. The Service Rules does not compel the Village Assistant to shift his family and it only states that the Village Assistant has to be resident of the village on his appointment. The nature of work would get never affected by transfer of the petitioner from one place to another place.

5. I have carefully considered the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.



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6. Considering the fact that the petitioner has been working in the present village for the past seven years and he has been transferred to the nearby village of 2 kilometres away, the issue raised by the writ petitioner does not call for any interference in the order of transfer passed by the Tahsildar on administrative grounds.

7. In view of the above said facts, there are no merit in this Writ Petition. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**16.10.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
ebsi

To

1. The Tahsildar,  
Tiruppuvanam Taluk Office,  
Tiruppuvanam, Sivagangai District.

2. The Revenue Inspector,  
Tiruppuvanam,  
Sivagangai District.



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**R.VIJAYAKUMAR,J.**

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