



W.P.No.4020 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.4020 of 2024 and
WMP.Nos.4340 & 4349 of 2024

S.Shobana

... Petitioner

Vs.

- 1.The Additional Chief Secretary,
Commissioner of Revenue Administration,
Chepauk, Chennai-5
- 2.The District Collector,
Thiruvannamalai District,
Thiruvannamalai
- 3.The District Revenue Officer,
Thiruvannamalai District,
Thiruvannamalai
- 4.The Revenue Divisional Officer,
Thiruvannamalai
- 5.The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai District
- 6.The Tahsildar,
Chengam Taluk,
Thiruvannamalai District
- 7.A.Valli

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for



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the records of the third respondent's proceeding vide Na.Ka.No.A2/542865/ 2023 dated 25.01.2024, quash the same with regarding the seventh respondent's posting as a Revenue Inspector at Thachampattu Firka, Thiruvannamalai District and order of transfer the petitioner from Thachampattu Firka, Thiruvannamalai Taluk to Eraiyur Firka, Chengum Taluk and consequently direct the third respondent to allow the petitioner to work at Thachampattu Firka, Thiruvannamalai Taluk as a Revenue Inspector with all attendant benefits.

For Petitioner : Mr.R.Govindasamy

For Respondents

For R1 to 6 : Mrs.R.L.Karthika,
Government Advocate

For R7 : Mr.Melwin Jabaz
for Mr.K.N.Pandian

ORDER

This writ petition has been filed challenging the order of transfer passed by the third respondent dated 25.01.2024 thereby transferred the petitioner from Thachampattu Firka, Tiruvannamalai District to Eraiyur Firka, Chengam Taluk.



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2. The learned counsel for the petitioner submitted that the petitioner was promoted and posted as Revenue Inspector by an order dated 26.10.2023 at Thachampattu Firka, Tiruvannamalai. Immediately, she had joined in the said post within a period of three months. Thereafter, the petitioner was transferred to Eraiyur Firka, Chengam Taluk on 25.01.2024. He further submitted that the said transfer was vindictive one and with malafide reason. In order to accommodate the seventh respondent, the petitioner has been disturbed and posted the seventh respondent in the petitioner's place. That apart, he also relied upon the guidelines to be followed while effecting transfers of Government servants in Group A, B and C. Accordingly, during the non transfer period i.e. period between 1st June and 31st March, transfers necessitated on account of promotion including recruitment by transfer may be ordered i.e. direct to the lace where vacancy already exists.

3. On perusal of the counter filed by the third respondent revealed that due to administrative reasons, the petitioner has been



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transferred from Thachampattu Firka, Tiruvannamalai Taluk to Eraiyur Firka, Chengam Taluk. As per Rule 40(a) Part II-General Rules of Tamilnadu State and Subordinate Service Rules, a member of a service or class or service may be required to serve in any post borne on the cadre of such service or class for which she is qualified and as per the Rule 40(b) Part II-General Rules of Tamilnadu State and Subordinate Service Rules, all transfers and postings shall be made by the appointing authority.

4. That apart, order of transfer was based on administration grounds and not connected with the seventh respondent. In fact, the learned counsel for the seventh respondent submitted that after large number of battles, the seventh respondent was promoted to the post of Revenue Inspector and posted at Thachampattu Firka, Tiruvannamalai District.

5. On perusal of the order of transfer also revealed that non only the petitioner was transferred, along with the petitioner, there were totally 17 persons transferred within the Tiruvannamalai District.



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Therefore, this Court finds no infirmity or illegality in the impugned order. As such, this writ petition is devoid of merits and liable to be dismissed.

6. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

15.03.2024

Neutral Citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

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