



WEB COPY



W.P.No.8730 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.8730 of 2024
and
W.M.P.Nos.9741 & 9743 of 2024

M.Kandasamy

.... Petitioner

Vs

1. The Government of Tamil Nadu,
represented by the Secretary to the Government,
Revenue and Disaster Management Department,
Fort St.George, Chennai – 600 009.

2. The Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.

3. The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Kilpauk, Chennai – 600 010.

4. R.Eswari,
Instructor,
Government Employees Training Institute,
Bhavanisagar, Erode District.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the impugned order of the first respondent in G.O. (2D) No.98, Revenue and Disaster Management Department, dated 15.03.2024 and quash the same in so



W.P.No.8730 of 2024

far as the petitioner is concerned.

WEB COPY

For Petitioner : Mr.P.Manojkumar
For R1 & R2 : Mr.R.Vigneswaran
Government Advocate
For R3 : Mr.C.Selvaraj
Standing Counsel

ORDER

This Writ Petition has been filed challenging the order of transfer dated 15.03.2024 passed by the first respondent.

2. Heard Mr.P.Manoj Kumar, learned counsel appearing for the petitioner, Mr.R.Vigneswaran, learned Government Advocate appearing for the first and second respondents and Mr.C.Selvaraj, learned Standing Counsel appearing for the third respondent and perused the materials available on record.

3. The petitioner, while working as Regional Manager in Tamil Nadu Civil Supplies Corporation, Salem Region, Salem, was transferred to Bhavanisagar Training Institute, Erode District, as Tutor. The petitioner was initially appointed as Typist in the Revenue Department in the year 1994. Thereafter, he was promoted to the post of Deputy Collector in the year 2021 at Ramanathapuram. Subsequently, on 13.12.2022, he was transferred as Regional Manager, Tamil Nadu Civil Supplies Corporation, Salem.



W.P.No.8730 of 2024

WEB COPY

4. The learned counsel appearing for the petitioner would submit that the petitioner is in the verge of retirement as on 31.05.2024. Only two months period is remaining for the petitioner to attain the age of superannuation. At that juncture, that too, without completion of three years in the place of employment, he was transferred without any administrative exigencies.

5. A perusal of the transfer order reveals that the petitioner was transferred and posted as Tutor in the Bhavanisagar Training Institute, Erode District. The petitioner is residing at Mohanoor. He is coming from Mohanoor to the employment place at Salem by travelling nearly 70 kms. That apart, for the Government servants, the transfer is incidental service condition. Further it is not the case of the petitioner that the petitioner is transferred on a malafide reason. Therefore, this Court finds no grounds to interfere with the order of transfer and this writ petition is devoid of merits and is liable to be dismissed.

6. Accordingly, this Writ Petition stands dismissed. The petitioner made a representation to the first respondent seeking to re-consider the order of transfer. The first respondent is directed to consider the same in accordance with law. Consequently, connected miscellaneous petitions are closed. No costs.



W.P.No.8730 of 2024

28.03.2024

WEB COPY Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

Lpp

Note : Issue order copy on 03.04.2024

To

1. The Secretary to the Government,
Revenue and Disaster Management Department,
Fort St.George, Chennai – 600 009.

2. The Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.

3. The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Kilpauk, Chennai – 600 010.

G.K.ILANTHIRAIYAN. J.

Lpp



WEB COPY



W.P.No.8730 of 2024

W.P.No.8730 of 2024
and
W.M.P.Nos.9741 & 9743 of 2024

28.03.2024