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W.P.No.12754 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

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THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.12754 of 2024

C.Kanniyan

... Petitioner

Vs.

The Commissioner,
O/o.Transport Commissioner,
Chepuk, Chennai – 05.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records and quash the proceedings vide Proc.R.No.41555/RA1/2023 (E.O.No.124/2024) dated 29.02.2024 and further directed the respondent to transfer the petitioner from the RTO Unit Gudalur to any other RTO office at Tiruchirapalli Zone or Erode Zone in pursuant to petitioner's representation dated 08.08.2023.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.P.Ganesan
Government Advocate



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ORDER

The grievance of the petitioner is that the petitioner is at present posted in Nilgiris. The petitioner has got some ailments and therefore he is finding it difficult to work in Nilgiris and he is having breathing difficulty as well as knee pain every now and then.

2. The learned counsel appearing for the petitioner would submit that firstly it can be seen that the petitioner is already aged about 58 years, atleast at the verge of retirement the petitioner's request should have been considered by the respondent. He would further submit that in the impugned order except to say not feasible of compliance, the respondent has not given any reasons. Therefore, he would vehemently contended before this Court to set aside the impugned order and to remand the matter back to the respondent for fresh consideration.

3. I have considered the submissions of the learned counsel for the petitioner and the learned Government Advocate for the respondent.



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4. The matters of place of posting is within the domain of the employer and the petitioner has no right to approach this Court under Article 226 of the Constitution of India to seek transfer to a particular place or district. When the petitioner has made a representation explaining his physical and health conditions, same has been considered by the respondent and rejected the same by the impugned order dated 29.02.2024.

5. In such view of the matter, this Court cannot interfere in the matter and come to the aid of the petitioner. In the absence of any legal right, the writ petition fails.

6. Accordingly, this Writ Petition stands dismissed. No costs.

03.06.2024

Neutral Citation :Yes/No
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To

The Commissioner,
O/o.Transport Commissioner,
Chepuk, Chennai – 05.



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D.BHARATHA CHAKRAVARTHY, J.

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