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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.24998 of 2024
and W.M.P.Nos.27333 & 27334 of 2024

P.Santhakumari

... Petitioner

Vs.

1.The Deputy Inspector General of Police (Establishment)
Office of the Directorate General,
Central Reserve Police Force,
Block No.1, CGO Complex,
Lodhi Road, New Delhi – 110 003.

2.The Commandant,
97 RAF Battalion Headquarters,
Central Reserve Police Force (CRPF),
Bhadravathi, Shivamogga District,
Karnataka State.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, call for records relating to the impugned order of the First respondent in Order No.208/2024-ESTT-BR-P2DA23-PER-DG dated 22.07.2024 in so far as the transfer of the Petitioner is concerned and quash the same and direct the First Respondent to post her at any of the offices/establishments of CRPF located at Chennai till the completion of her normal



tenure of 4 years in accordance with the Central Reserve Police Force (CRPF)
Standing Order No.04/2022 dated 27.09.2022.

For Petitioner : Mr.P.Manojkumar

For Respondent : Mr.C.Kulanthaivel
Senior Panel Counsel

ORDER

This writ petition has been filed challenging the transfer order passed by the
1st respondent dated 22.07.2024.

2.Heard Mr.P.Manojkumar, learned counsel appearing on behalf of the
petitioner and Mr.C.Kulanthaivel, learned Senior Panel Counsel appearing on
behalf of the respondents.

3.The case of the petitioner is that she joined CRPF as Constable in the year
1992. Thereafter, she was promoted as Head Constable in the year 2004 and she
was further promoted as Assistant Sub Inspector in the year 2013 and as Sub-
Inspector of Police in the year 2021. According to the petitioner, during her tenure,
she has served in all hard and field areas. When she was posted in 240 (Mahila)
Battalion, she made a request and sought for posting to Chennai on the ground that



4. The petitioner was taking care of her parents since she has separated from her husband. Her mother died on 02.08.2019 and ultimately, the father also died on 15.06.2024. In the meantime, the sister of the petitioner was diagnosed with ovarian cancer and she was also taken care by the petitioner. The petitioner sustained an injury in the right leg knee and she underwent a surgery. Due to this injury, the petitioner was placed under Low Medical Category (LMC) w.e.f., 23.08.2023.

5.The grievance of the petitioner is that the 1st respondent by the impugned order dated 22.07.2024 transferred the petitioner from the present station to Nagpur. The said order has been put to challenge in the present writ petition.

6. The learned counsel for the petitioner submitted that for several persons, the request has been taken into consideration and they have been posted in the establishments situated in the State of Tamil Nadu itself. However, the case of the petitioner was not considered. That apart, the petitioner was posted at Chennai only



in the year 2022 and that the normal tenure of a person is for four years in the same station. However, within two years, the transfer order has now been passed and the same goes against the Standing Order, dated 27.09.2022, governing the Mahila personnel.

7. In the considered view of this Court, the petitioner belongs to a disciplined force. Already request made by the petitioner was considered and she was stationed at Avadi in the year 2022. Now in the course of regular transfer, the petitioner has been stationed at Nagpur. The Standing order relied upon are general guidelines and a transfer order cannot be interfered only on the ground that the Standing Order was not complied with. The petitioner may be having a lot of personal reasons for not being able to go to the transferred place. However, that by itself is not a ground to interfere with the order of transfer passed by the 1st respondent. This is more so, in a case where the petitioner belongs to a disciplined force.

8. In view of the above, this Court is not inclined to interfere with the transfer order passed by the 1st respondent. However, considering the nature of the grievance that has been expressed by the petitioner and also considering the fact



that the petitioner had served in all hard/field areas in various posts, there shall be a direction to the petitioner to make a fresh representation to the 1st respondent along with all the relevant materials, within a period of one week from today. On receipt of the same, the 1st respondent shall take a decision, within a period of one week from the date of receipt of the representation from the petitioner. The final decision taken by the 1st respondent shall be conveyed to the petitioner and the petitioner will abide by such final decision taken by the 1st respondent.

9.This writ petition is disposed of in the above terms. No Costs.
Consequently, connected miscellaneous petitions are closed.

28.08.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
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Note:Issue Order Copy on 29.08.2024



N. ANAND VENKATESH, J.

SSR

To

- 1.The Deputy Inspector General of Police (Establishment)
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