



W.P.No.32676 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.32676 of 2024

and

W.M.P.No.35506 and 35508 of 2024

R. Poornachandran

...Petitioner

Vs

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department, Secretariat,
Fort St. George, Chennai 600 009.

2. The Chairman,
The Tamil Nadu State Transport Corporation,
Secretariat, Chennai 600 009.

3. The Managing Director,
The Tamil Nadu State Transport Corporation,
(Coimbatore Division-I) Ltd.,
Head Office, No. 82, Mettupalayam Road,
Coimbatore 641 243

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned proceedings of the 3rd respondent in 12038/C1/HRD/TNSTC(CBE) 2024 dated 19.10.2024 quash the same as



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far as the petitioner is concerned and pass orders.

For Petitioner : Mr. Dr.R. Gouri
For Respondent-1 : Mr. Stalin Abhimanyu
Special Government Pleader
For Respondents 2 and 3 : Mr.T. Chandrasekaran

ORDER

This petition is filed seeking to issue a Writ of Certiorari calling for the records relating to the impugned proceedings of the respondent in 12038/C1/HRD/TNSTC(CBE) 2024 dated 19.10.2024 quash the same as far as the petitioner is concerned and pass orders.

2. It is averred in the writ petition that the petitioner joined service in the respondent Corporation as a company trainee in 1993. His services was regularized as junior Engineer with effect from 02.09.1995. Thereafter, the petitioner was promoted to the post of Assistant Engineer during the year 01.05.2003. The grievance of the petitioner is that he was issued with a transfer order on 19.10.2024 in 12038/C1/HRD/TNSTC(CBE) 2024, wherein the petitioner was transferred from Ooty Branch I to Sugam II, Coimbatore Region. Aggrieved over the same the petitioner has come up with this petition.



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3. The learned counsel for the petitioner submitted that the petitioner is on the verge of retirement and left with two more years of service and the respondent has transferred him for more than 20 times during the past and the petitioner also accepted the same. He further submitted that due to his health condition and as he has to take of his aged parents he is not in a position to work in a difference place and he may be permitted to work in the Ooty Region till his retirement. He also submitted that the respondents has transferred four other persons excluding the petitioner by the impugned order dated 19.10.2024, thereafter, the respondents have given relaxation to one Mr.S.Mohanasundaram by passing another order on 23.10.2024. Hence, the petitioner prays that the same relaxation may be extended to the petitioner .

4. Heard both sides and perused the materials available on record.

5. On a perusal of records it is seen that the petitioner and four others were issued with the transfer order and subsequently the said transfer order with regard to one Mr.S.Mohanasundaram alone was modified due to the reason best known the respondent. The sum and substance of the case is that the petitioner seeks to modify the impugned



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order by permitting him to work in the same work place i.e Ooty Branch, Ooty Region. It is pertinent to note that previously the respondent has transferred the petitioner for 20 times and the petitioner also accepted the same and furthermore there was an issue with regard to promotional aspects and the petitioner has also approached this Court in W.P.No.28681 of 2015 and the same was allowed on 24.03.2023, wherein, the respondent was directed to give promotion to the petitioner. Challenging the same, the respondent preferred a writ appeal in W.A.No.1100 of 2024 and the same was dismissed on 12.07.2024. From the said fact this Court observed that the petitioner has got two favourable orders from this Court.

6. Considering the facts and circumstances of the case and the submission made by both side and also taking note of the vital aspect that the petitioner is on the verge of retirement and left with two more years of service, this Court directs the respondents to issue orders permitting the petitioner to work within Mettupalayam. The respondents are directed to pass orders as early as possible. The petitioner is directed to join duty at Mettupalayam after receiving the order from the respondent.



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7. With the above observations this writ petition stands disposed of. No order as to costs. Consequently, the connected miscellaneous petitions are closed.

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Index:Yes/No
Speaking order/Non-speaking order
smn

To.

1. The Secretary to Government,
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2. The Chairman,
The Tamil Nadu State Transport Corporation,
Secretariat, Chennai 600 009.
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