



WEB COPY



W.A(MD)No.331 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A(MD)No.331 of 2024

and

C.M.P(MD)No.3057 of 2024

V.Anilkumar

... Appellant/Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited(TASMAC),
CMDA Tower – II, 4th Floor,
Egmore,
Chennai.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Plot No.100, Anna Nagar,
Madurai – 20.

3.The District Manager,
Tamil Nadu State Marketing Corporation Limited(TASMAC),
TASMAC IMFS DEPOT,
Bethal Nagar,
Chenbagaramanputhur,
Aralvaoimozhi,
Kanyakumari District.

... Respondents 1 to 3/Respondents 1 to 3

4.M.Raja

... 4th respondent/respondent



W.A(MD)No.331 of 2024

PRAYER : Appeal filed under Clause 15 of the Letters Patent Act, against the order dated 09.01.2023 passed in W.P(MD)No.422 of 2023.

WEB COPY

For Appellant :Mr.S.Siva Thilakar
For R-1 to R-3 :Mr.S.Sivanesan

JUDGMENT

[Judgment of the Court was delivered by D.KRISHNAKUMAR, J.]

This writ appeal has been filed by the appellant challenging the order of the Writ Court in W.P(MD)No.422 of 2023, dated 09.01.2023.

2. The writ petitioner is the appellant. The writ petitioner filed the writ petition challenging the order passed by the second respondent 28.11.2022, in and by which, the writ petitioner, who is working as a Supervisor in a TASMACH shop was transferred from Attur to Samiyarmadam. The writ petitioner has challenged the said transfer order on the ground that he is having a physically challenged child and he has to take care of his child.

3. The said contention was refuted by the respondents stating that earlier the writ petitioner was working at Samiyarmadam shop and thereafter, in a mass transfer, he was transferred to Attur. Thereafter, subsequent to the order passed by this Court, again the Management



W.A(MD)No.331 of 2024

reconsidered the entire transfer and re-transferred the writ petitioner to Samiyarmadam. Moreover, the said Samiyarmadam is situated 3 Kms., away from the writ petitioner's residence and the total distance between the two shops is only 4.8 Kms.

4. The learned Single Judge dismissed writ petition stating that since the total distance in between the two shops is only 4.8 kms., the grievance expressed by the writ petitioner is not sustainable and therefore, the prayer sought for by the writ petitioner cannot be granted. Aggrieved by the said dismissal order, the appellant/writ petitioner, has filed this writ appeal.

5. We have heard the learned counsel appearing on either side and perused the materials placed before us.

6. A perusal of the order passed in the writ petition shows that the learned Single Judge after elaborate discussion, has rightly rejected the contention of the appellant/writ petitioner as against the impugned transfer order.

7. We are of the view that these are all the administration decision taken by the Corporation and hence, we are not inclined to interfere with the same. As there is no merits in this writ appeal, the same is liable to be dismissed.



W.A(MD)No.331 of 2024

8. In the result, this writ appeal stands dismissed. No Costs.

Consequently, connected Miscellaneous Petition is closed.

WEB COPY

[D.K.K., J.] [R.V., J.]

07.03.2024

Neutral Citation: Yes / No

Index : Yes / No

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WEB COPY



W.A(MD)No.331 of 2024

D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

PM

W.A(MD)No.331 of 2024

07.03.2024