



W.P.(MD) No.12544 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.12544 of 2023

A.Saravanaperumal

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Petitioner

-VS-

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam Region,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam.

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Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorari, to call for the records relating to the impugned transfer order passed by the 2nd respondent in Ku.Aa.No.



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WEB COPY 05-05/PaPi-E3/TNSTC(Kum)/2023, dated 15.05.2023, and quash the same as illegal.

For Petitioner : Mr.SP.Vijay Nivas

For Respondents : Mr.K.Jagadees Balan,
Standing Counsel.

ORDER

The instant Writ Petition has been filed by a driver, working in the respondent Transport Corporation, challenging the order of his transfer from Kumbakonam Town – I Branch to Pattukottai.

2. According to the learned counsel for the petitioner, the petitioner has lodged a complaint as against the Branch Manager, Kumbakonam Town-I, to the Managing Director and the General Manager on 17.04.2023. Therefore, the present impugned order has been passed as a vindictive action.

3. A perusal of the complaint lodged by the petitioner reveals that the complaint is only against the Branch Manager. The petitioner has filed W.P.(MD) No.9961 of 2023, seeking a direction to the Managing Director and



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the General Manager to take disciplinary action as against the Branch Manager, which has not been granted by this court, and it was left to the discretion of the Managing Director and the General Manager.

4. The present impugned order has been passed on 15.05.2023 by the General Manager, transferring the petitioner from Kumbakonam Town-I to Pattukottai. The impugned order does not reveal any imputation of allegations as against the petitioner. When the petitioner has made allegations against the Branch Manager, the impugned order has been passed by his higher official, namely, General Manager. Therefore, the impugned order cannot be considered to have been passed as a vindictive action. Hence, this Court does not find any reason to interfere in the order of transfer.

5. The petitioner has sent a representation to the first respondent on 19.05.2023 to re-transfer him to Kumbakonam.

6. In view of the above said facts, the first respondent is directed to consider the said request of the petitioner on merit and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of copy of this order.



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7. Writ Petition stands disposed of accordingly. No costs.

Consequently, the connected W.M.P.(MD) Nos.10707, 10708 and 11889 of 2023 are closed.

30.08.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

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R.VIJAYAKUMAR, J.

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