



W.P.(MD)No.15482 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.15482 of 2024

and

W.M.P.(MD).Nos.13536 & 13537 of 2024

M.Alexander

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye Pass Road, Madurai-10.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye Pass Road, Madurai-10.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records from the second respondent pertaining to the impugned order passed by the second respondent in பார்வை: நிருவாகம்/அ3/16728/2024 dated 27.06.2024.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Ramaiah,
Standing Counsel



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ORDER

WEB COPY By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. Heard Mr.K.Gokul, learned counsel appearing for the petitioner and Mr.K.Ramiah, learned Standing Counsel appearing for the respondents.

3. The petitioner, who is working as a 'Senior Conductor' in the respondent Corporation, has filed this Writ Petition, challenging the transfer order, dated 27.06.2024, through which, he has been transferred from Madurai Bypass Branch to Tirupuvanam Branch.

4. Mr.K.Gokul, learned counsel appearing for the petitioner submitted that the petitioner is having old age parents and Tiruppuvanam Branch is 80 kilometers far away from his residence. He further submitted that the transfer has been given only due to the influence of the present office bearers of LPF Trade Union. He further submitted that the impugned transfer order has been passed on 27.06.2024 and immediately on the next day i.e., 28.06.2024, the suspension order was issued to the petitioner and later, the suspension order was revoked.



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5. If the petitioner challenges the transfer order on the ground of distance, then, the above argument ought to have substantiated based on the transfer guidelines in this regard. The transfer guidelines would only say the distance between the earlier place and the present place in which an individual has been transferred and it cannot be from the residence of an individual to the place where he is transferred.

6. The petitioner cannot challenge the transfer order unless the transfer has been made in violating of the guidelines, if any, in this regard. So far as the motive, there is no material placed before this Court to substantiate the same. Since the petitioner belonged to the same Union, there cannot be any intention for the transfer order.

8. It is learnt that the petitioner has been suspended from the next day of his transfer on 28.06.2024 and later, it was revoked. In the suspension order, it has been stated that the petitioner on his own volition had gone to his residence without attending his duty and when he called over phone, he switched off his mobile. In view of the above, there cannot be any motive attributed to transfer the petitioner from Madurai Bypass Branch to Tirupuvanam. Hence, I find no reason for interference.



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WEB COPY 10. In the result, the Writ Petition stands **dismissed**. No costs.

Consequently, the connected miscellaneous petitions are closed.

11.07.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye Pass Road, Madurai-10.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye Pass Road, Madurai-10.



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R.N.MANJULA, J.

TSG

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