



W.P.(MD).No.23637 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.23637 of 2023

and

W.M.P(MD) Nos.19808 and 25108 of 2023

S.Jothi

... Petitioner

Vs.

1. XXXX

2. The Assistant Director,
Tamil Nadu Khadi Village
Industries Department,
10, Race Course Road,
Opposite to Kamarajar
Thirumanamandapam,
Dindigul – 624 005.

... Respondents

(R1 is deleted vide order of this Court
dated 27.09.2023 in W.P(MD)
No.23637 of 2023)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorari, calling for the records relating
to the impugned proceedings of the first respondent in Na.Ka.No.217/E2/



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(2)/2023, dated 15.09.2023 and consequential proceedings of the second respondent in Na.Ka.No.21/E/2022, dated 19.09.2023 and quash the same.

For Petitioner : Mr.V.R.Shanmuganathan

For R2 : Mr.Raghuvaran Gopalan
Standing Counsel

ORDER

The instant Writ Petition has been filed by an Assistant Grade – I, working in the Assistant Director Office at Dindigul, the second respondent Department herein, challenging the order of transfer, dated 15.09.2023 to the office of Assistant Director, Coimbatore.

2. According to the learned counsel appearing for the writ petitioner, the petitioner is about to retire next year. Since she is having an unblemished record of service, the transfer at this length of time would cause prejudice to her.

3. Per contra, the learned Standing Counsel appearing for the second respondent herein had contended that the petitioner is working in Dindigul



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from the year 1993 to 2021. Though she was transferred to some other place in 2021 she managed to continue at Dindigul District till this impugned transfer order was passed. He further contended that due to administrative exigencies the instant order of transfer has been passed for four employees along with writ petitioner. Therefore, the petitioner's services are required at Coimbatore and hence, the order of transfer may be sustained.

4. A perusal of the records indicates that at the time of admission an interim order has been granted and the petitioner is continuing in Dindigul for the past one year. The petitioner is about to retire next year.

5. This Court is of the considered opinion that any transfer of the writ petitioner at the verge of her career to Coimbatore would be prejudicial to the interest of the writ petitioner especially, when there are no allegations as against the writ petitioner.



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6. In view of the above said facts, the order impugned in the writ petition is set aside in so far as the petitioner is concerned. Accordingly, this Writ Petition stands allowed. There shall be no order as to costs. Consequently connected Miscellaneous Petitions stand closed.

22.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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