



W.A.(MD) No.168 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2024

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**W.A.(MD) No.168 of 2024
and
C.M.P.(MD) No.1425 of 2024**

S.Joseph

... Appellant

-VS-

1.....

2.The Managing Director
Head Office
Tamilnadu State Transport Corporation
(Madurai) Limited, Bye Pass Road
Madurai-625 016

3.The General Manager
Madurai Region
Tamilnadu State Transport Corporation
(Madurai) Limited, Bye Pass Road
Madurai-625 016

4.The Branch Manager
Moffisil Branch
Madurai Region

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Tamilnadu State Transport Corporation
(Madurai) Limited, Bye Pass Road
Madurai-625 016
[R1 is removed vide Court order
dated 26.09.2023 in W.P.(MD)
No.23421 of 2023]

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 01.11.2023, passed in W.P.(MD) No.23421 of 2023, on the file of this Court.

For Appellant : Mr.S.Joseph
Party-in-Person

J U D G M E N T

**[Judgment of the Court was made by
The Hon'ble CHIEF JUSTICE]**

The appellant appears in person. The appellant is challenging the order passed by the learned Single Judge dismissing his writ petition.

2. The appellant challenged his transfer from Madurai Mofussil Branch to Thirupuvanam Branch on administrative grounds. The learned Single Judge did not find any ground to interfere with the order of transfer.



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3. The appellant also sought review of the appointment of the third respondent as a General Manager.

4. The party-in-person contends that the transfer is a vindictive transfer. He has performed almost 25 years of unblemished service. False complaints have been made against the appellant. According to him, the principle of last come first go should have been applied. There are juniors to the appellant working at Madurai Mofussil Branch. The same ought to have been considered. There are no basic facilities at Thirupuvanam Branch.

5. As far as the principle of last come first go is concerned, the same may be available for retrenchment. The appellant is working at Madurai Mofussil Branch for almost 24 years. Transfer is an incidence of service. The appellant is transferred on administrative grounds and the transfer is not a punitive one.

6. There are other employees working at Thirupuvanam Branch. If there are no basic facilities, the appellant can represent it to the Department. Naturally, the basic facilities are required to be provided to every employees.



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7. In light of the above, the writ appeal is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

[S.V.G., C.J.]

[G.I., J.]

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

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and
G.ILANGO VAN, J.

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