



2025:KER:28313

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE D. K. SINGH

FRIDAY, THE 28TH DAY OF MARCH 2025 / 7TH CHAITHRA, 1947

WP(C) NO. 36782 OF 2024

PETITIONERS:

- 1 MANOJ.V.
AGED 54 YEARS
S/O VENUGOPALAN NAIR.K, USHUS, TC 53.237, PAPPANAMCODE PO,
THIRUVANANTHAPURAM 695018 (PAPPANAMCODE UNIT) (UPON ORDERS
OF TRANSFER TO RW EDAPPAL UNIT, MALAPPURAM), PIN - 695018
- 2 THULASI.T
AGED 54 YEARS
W/O SREEKANDAN NAIR (LATE) SREENILAYAM, VPS 292, VATTAVILA,
THIRUMALA PO, WORKING AS SUPERINTENDENT, KSRTC, THAMPANOOR,
THIRUVANANTHAPURAM (THIRUVANANTHAPURAM CENTRAL UNIT) (UPON
ORDERS OF TRANSFER TO MALA UNIT, THRISSUR., PIN - 695006

BY ADVS.
T.C.KRISHNA
ASHA S.V
GOPI KRISHNA R.
GOKUL KRISHNA

RESPONDENTS:

- 1 KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY CHAIRMAN & MANAGING DIRECTOR, KSTRC,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM, PIN - 695023
- 2 EXECUTIVE DIRECTOR (ADMINISTRATION
KSRTC, O/OCHAIRMAN & MANAGING DIRECTOR, KSTRC, TRANSPORT
BHAVAN, FORT, THIRUVANANTHAPURAM, PIN - 695023

BY ADV DEEPU THANKAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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JUDGMENT

Petitioners are employed as Superintendents in the Kerala State Road Transport Corporation. They are the natives of Thiruvananthapuram District. They have spent the majority of their tenure in their home district. The 1st petitioner has served only 13 months in his entire service career so far outside the home district. The 2nd petitioner has worked only 3 months outside his home district. The petitioners have been transferred vide Ext.P2 order, which is under challenge before this Court. The learned counsel for the petitioners submits that the petitioners are going to retire in May 2026, and therefore, their transfer at this stage of their career would be against the transfer guide lines.

2. The learned counsel appearing for the respondent corporation submits that the petitioners have enjoyed their entire tenure in their home district. The transfer norms are not the statutory prescriptions, but they could



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be applied so far as possible. The petitioners do not have any legal statutory or otherwise right to continue to be employed in their home district for the entire service career. The transfer and postings are exigencies of service, and no employee, holding a transferable post, can claim for posting of his choice at a particular place. He, therefore, submits that several persons belonging to Thiruvananthapuram District have sought their transfer and posting in their home district, and persons who have been serving longest in the home district are to be transferred out to post those persons in their home district.

I have considered the submissions. It is not in dispute that the petitioners hold transferable posts, and they have spent the majority of their tenure in the home district. Transfer guidelines are not statutory prescriptions, but they are for the convenience of the authorities and the employees. They are to be made applicable so far as possible. Even otherwise, when an



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employee holds a transferable post, the Court should be loath in the transfer and posting of the employees unless the transfer order is malafide or against the Service Rules. No such ground has been made out in the writ petition. Therefore, the writ petition is dismissed. However, the respondents are directed to consider the petitioners' representations in Exts.P3 and P4 expeditiously and take appropriate decisions. The petitioners may be afforded an opportunity of hearing before taking a final decision. Interim order, if any stands vacated.

Sd/-

AP

**D. K. SINGH
JUDGE**



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APPENDIX OF WP(C) 36782/2024

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE RELEVANT PAGES OF THE DRAFT SERVICE AND SALARY CONTRACT, 2021, CONTAINING THE GUIDELINES FOR TRANSFER (APPENDIX IV) ISSUED BY THE KSRTC
- Exhibit P2 TRUE COPY OF ORDER NO. S001-AVA07/979/2024/ADM-KSTRC-HQ DATED 15-10-2024 ISSUED BY THE 2ND RESPONDENT
- Exhibit P3 THE TRUE COPY OF THE REPRESENTATIONS SUBMITTED BY THE 1ST PETITIONER (DATED NIL) TO THE 1ST RESPONDENT
- Exhibit P4 THE TRUE COPY OF THE REPRESENTATIONS SUBMITTED BY THE 2ND PETITIONER (DATED NIL) TO THE 1ST RESPONDENT
- TRUE ENGLISH TRANSLATION OF EXHIBIT P1
TRUE ENGLISH TRANSLATION OF EXHIBIT P2
TRUE ENGLISH TRANSLATION OF EXHIBIT P3
TRUE ENGLISH TRANSLATION OF EXHIBIT P3