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W.P.No.503 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.503 of 2025
and
W.M.P.No.591 of 2025

M.Saravanan

... Petitioner

Vs.

1. The Tamil Nadu Tea Plantation,
Corporation Ltd., having its Registered Office at
TANTEA Complex, Coonoor – 643 101, Nilgiris District,
Represented by its Chairman cum Managing Director
2. The Company Secretary,
Tamil Nadu Tea Plantation Corporation Limited,
Head Office situated at Orange Grove Road,
Coonoor, Nilgiris District.
3. The Divisional Manager,
Pandiar Tea Division,
Tamil Nadu Tea Plantation Corporation Limited,
Nadugani Post, Cuddalore,
Nilgiris District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, calling for the records



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relating to the impugned transfer order issued by the first respondent in his proceedings in S.O.No.33/2024 dated 27.12.2024 quash the same as illegal, bias, arbitrary and has no jurisdiction and consequently directing the first respondent to permit the petitioner to discharge his duties at the Head Office/Registered Office, Coonoor in the premises of the first respondent by considering his representation dated 28.12.2024.

For Petitioner	: Mr.M.Dinesh
For Respondents	: Mr.P.Raghunathan, for M/s.T.S.Gopalan & Co.

ORDER

This Writ Petition has been filed challenging the order dated 27.12.2024 passed by the first respondent.

2. The learned counsel for the petitioner submits that the petitioner, being a differently-abled person, has been transferred from Coonoor to Pandiar Tea Division, which is 78 kilometers away from Coonoor, without any basis and with malafide intention, which makes it difficult for the petitioner to maintain himself there without the assistance of his family members. Hence, he prayed for interference with the impugned order.



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3. Per contra, the learned counsel for the respondents would vehemently contend that the petitioner will be provided quarters at the present posting place and that there are other differently-abled persons working in the respondents' establishment who have been transferred like the petitioner. Therefore, the petitioner's mere disablement cannot be a ground to retain him in the same place, and the transfer has been effected solely on administrative grounds. Hence, the learned counsel would contend that there is no ground to interfere with the impugned transfer order under judicial review.

4. I have given my anxious consideration to the submissions made on either side.

5. It is a well-settled principle of law that the employer is the best judge to determine place of postings, and employees do not have an absolute right to seek a particular place and posting. Although the learned counsel for the petitioner alleged malafide intent behind the transfer order, the absence of impleading the concerned individuals in their individual capacity makes the defence of malafide became non-starter. However, the learned counsel



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for the respondents, contended that the transfer was made on administrative grounds due to the retirement of an employee from the Pandiar Tea Division and the need for the petitioner's presence to modernize the division. Such submissions appears to be fair and this Court does not find any malafide in the petitioner's transfer from the above submissions.

6. However, upon perusal of the typed set of papers, it appears that the petitioner has submitted a representation dated 28.12.2024, to the respondents, which is yet to be considered by the respondents.

7. Though this Court does not find any merit in the present writ petition, it would like to direct the respondents to consider the petitioner's representation dated 28.12.2024, and pass orders on its own merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Till the consideration of the above representation, the petitioner may be retained in Coonoor.



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8. In the result, this Writ Petition is dismissed with the above observations. Consequently, the connected Miscellaneous Petition is closed.

No costs.

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Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

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C.KUMARAPPAN, J.

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