



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 19.02.2025

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THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.2953 of 2024

and

W.M.P.Nos.3206, 3208 & 3209 of 2024

M.Revathi

.. Petitioner

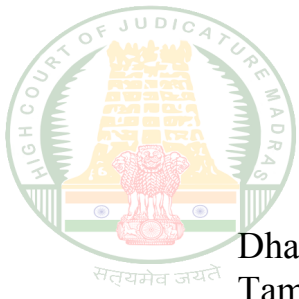
Vs.

1.Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore – 43.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Tiruppur Region, Tiruppur Branch – I,
No.17, Kangeyam Road,
Tiruppur – 641 604.

3.The Assistant Manager,
Dharapuram FC Unit, Tiruppur Region,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Dharapuram – 638 656.

4.B.Selvakumar,
SRTM (Senior Tradesman) Pr. No.8607,
Vice President of Labour Progressive Federation,



Dharapuram Branch, Tiruppur Region,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Dharapuram Branch, Tiruppur Region.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 04.01.2024 passed by 2nd Respondent in Letter No.13 / P3/ PiPi.1 /TNSTC (Co) / Thima / 2024, and the relieving order dated 05.01.2024 passed by 3rd Respondent in Dharapuram FC Unit Proceeding No.27929 and quash the same and consequently, direct the Respondents to retain the Petitioner and restore the petitioner to Dharapuram FC Unit.

For Petitioner .. Mr.V.Porkodi

For Respondents .. Mr.M.Murali Vinodh, Standing Counsel

ORDER

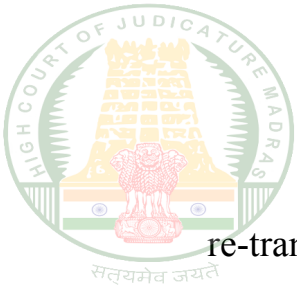
This Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking records relating to an order dated 04.01.2024 passed by the 2nd respondent, the General Manager, Tamil Nadu State Transport Corporation (Coimbatore) Ltd., Tiruppur Region in Letter No. 13 / P3/



PiPi.1 /TNSTC (Co) / Thima / 2024 and the relieving order dated 05.01.2024 passed by the 3rd respondent, Assistant Manager, Dharapuram FC Unit, Tamil Nadu State Transport Corporation (Coimbatore) Ltd., Tiruppur Region, Dharapuram in proceeding No.27929 and quash both the same.

2.The writ petitioner had joined service under the 1st respondent Corporation / Tamil Nadu State Transport Corporation (Coimbatore) Ltd., on 14.05.2015 and was posted at Dharapuram FC Unit as Junior Tradesman with Staff No. C 43418. She was brought into daily rated service from 14.05.2015. She was made permanent by order dated 27.05.2016. She was also given higher designation of Assistant Tradesman. She was the only woman working as technical staff at Dharapuram FC Unit.

3.Owing to various reasons, which to consider the relief sought in the writ petition, it may not be proper on the part of this Court to enter into a discussion, the petitioner had given a complaint against the 4th respondent and thereafter, the 4th respondent had been transferred to Palladam from Dharapuram FC Unit. It is contended that thereafter, the 4th respondent was



re-transferred to Dharapuram FC Unit. The petitioner had raised objection to the same. She felt a little insecure in her place of work.

4. It is to be stated that there is an obligation and trust placed on the 2nd and 3rd respondents to ensure that every woman is given security in her place of work not only from any advances made by co-workers, but also with respect to general work condition.

5. It is contended on behalf the 1st, 2nd and 3rd respondents that a charge memo had been issued to the petitioner herein. But the impugned order of transfer does not refer to such charge memo, but rather, it is stated that the petitioner has been transferred from Dharapuram FC Unit to Palladam. The reasons had not been given. The petitioner claims that time, she is a young mother with an infant of about 12 to 15 months, who is her second child. Naturally, she must be provided with some security in her place of work while discharging of her official duty. The transfer order is not based on the fact that a charge memo is pending and that she would interfere with the enquiry process.



6. Let me not enter into any discussion, as stated, with respect to her grievance against the 4th respondent, since that may not be directly necessary to adjudicate the relief sought in the writ petition.

7. It is to be noted that an order of interim stay had been granted, at the time when the writ petition initially came up for hearing.

8. The 2nd and 3rd respondents should have considered the plight of the petitioner and without any reason, should not have taken a decision to transfer her. If reasons are not given, it would only indicate that the transfer is vindictive and made with sole intention to avenge the petitioner either by the 2nd and 3rd respondents individually or at the instigation of any other co-staff. Either way, the order of transfer cannot withstand the scrutiny of this Court. It is interfered with. The impugned order namely, transfer order dated 04.01.2024 is set aside so far as the petitioner is concerned.

9. With the above observations, this Writ Petition stands allowed. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.



WEB COPY 10.A direction is given to the 2nd and 3rd respondents to ensure that they adhere to the rules of service by providing proper security to women employees particularly, also to the petitioner herein who in the affidavit claimed that she is the only woman working as technical staff at Dharapuram FC Unit. A responsibility is thrust on the 2nd and 3rd respondents to ensure that complaints of this nature are not levied by any women staff against any co-staff.

19.02.2025

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Index:Yes/No

Internet:Yes/No



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C.V.KARTHIKEYAN,J.

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