



W.P.No.5362 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **M.S. RAMESH**
AND
THE HONOURABLE MR. JUSTICE **N.SENTHILKUMAR**

Writ Petition No.5362 of 2025
and W.M.P.Nos.5934 and 5935 of 2025

K. Saraswathi

... Petitioner

Vs.

1. The Union of India,
Represented by the Director General, CPWD,
Nirman Bhawan, New Delhi.
2. The Additional Director General (Kochi),
CPWD, G Wing, IInd Floor, Rajaji Bhavan,
Besand Nagar, Chennai - 90.
3. The Chief Architect (Kochi),
O/o. the Additional Director General (Kochi),
CPWD, G Wing, IInd Floor, Rajaji Bhavan,
Besand Nagar, Chennai - 90.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari, to call for the records of the Central Administrative Tribunal, Chennai Bench, in its order dated 30.01.2025 in O.A.No.42/2025 insofar as it refuses to grant



W.P.No.5362 of 2025

an interim stay of the orders of the first respondent in its order No.30/04/2022-EC-IX, dated 19.09.2023, as reiterated in its order F.No.28/07/2024-EC-IX, dated 22.08.2024 and the consequent order F.No.28/07/2024-EC-IX-(Part-1) dated 03.01.2025 and the order passed by the third respondent in its office order No.8(1)/Admn/CA (Kochi)/2024/58-66 dated 21.01.2025 and quash the same.

For Petitioner : Mr.V.Vijayashankar

Respondents : Mr.J.Madhanagopal Rao

- - - - -

ORDER

*(Order of the Court was made by **M.S.RAMESH, J.**)*

Though the petitioner herein has raised several grounds challenging the order of transfer, transferring her from Chennai to Hyderabad, the learned counsel appearing for the petitioner would submit that if the petitioner is permitted to work in her original place at Chennai till 30.06.2025 in order to enable her to take care of her father, who has serious medical ailments, she would be satisfied. In support of such a claim, the petitioner has also produced relevant medical records of her ailing father.



W.P.No.5362 of 2025

WEB COPY

2. It is also seen that after the transfer order was passed, the petitioner herein was relieved from the services on 21.01.2025 and thereafter, when she had ultimately challenged the transfer order before this Court in W.P.No.5362 of 2025, an order of interim stay was granted on 14.02.2025.

3. At this juncture, the learned counsel for the petitioner would submit that though she has reported before the third respondent's Office pursuant to the interim orders of this Court dated 14.02.2025, she has not received her salary after the date of transfer.

4. We are inclined to accept the reasonable request of the petitioner. Taking into account an affidavit filed by the petitioner dated 10.02.2025 undertaking to join the Hyderabad Office (transferred place) positively in the first week of July, 2025, we are inclined to interfere with the original transfer order.



W.P.No.5362 of 2025

WEB COPY 5. Accordingly, the impugned transfer order passed by the first respondent herein dated 19.09.2023 in No.30/04/2022-EC-IX, insofar as the orders for transferring the petitioner from Chennai to Hyderabad is set aside. Consequently, the first respondent herein shall pass appropriate orders transferring the petitioner and directing her to join the Hyderabad Office from 01.07.2025, within a period of four (4) weeks from the date of receipt of a copy of this order. While passing such an order, the first respondent shall treat the period from the date of relieving order i.e., 21.01.2025 to 17.02.2025 as "*leave without pay*".

6. This Writ Petition stands disposed of with the above directions. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

(M.S.R, J.) (N.S, J.)
17.03.2025

ASI



W.P.No.5362 of 2025

WEB COPY

1. The Director General, CPWD,
Nirman Bhawan, New Delhi.
2. The Additional Director General (Kochi),
CPWD, G Wing, IInd Floor, Rajaji Bhavan,
Besand Nagar, Chennai - 90.
3. The Chief Architect (Kochi),
O/o. the Additional Director General (Kochi),
CPWD, G Wing, IInd Floor, Rajaji Bhavan,
Besand Nagar, Chennai - 90.



WEB COPY



W.P.No.5362 of 2025

M.S. RAMESH, J.
and
N. SENTHILKUMAR, J.

ASI

Writ Petition No.5362 of 2025
and W.M.P.Nos.5934 and 5935 of 2025

17.03.2025