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W.P No.6094 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.6094 of 2024

R.Baskar

... Petitioner

..Vs..

1.The Secretary to the Government of India,
Ministry of Ports, Shipping and Waterways,
Transport Bhavan, 1, Parliament Street,
New Delhi – 110 001.

2.The Chairperson,
Chennai Port Authority,
(erstwhile Chennai Port Trust),
Rajaji Salai, Chennai – 600 001.

3.Chief Vigilance Commissioner,
Central Vigilance Commission,
Satarkata Bhawan,
Block'A', INA, GPO Complex,
New Delhi – 110 023.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the 1st respondent to perform his official duty in compliance with its own the transfer policy No.A-12023/12/2014-PE-I dated 3rd March 2020 and as per the directions issued by the 3rd respondent on various dates in respect of rotational transfer of HOD level officers for all Major Ports in the Country, including implementation of the transfer policy in Chennai Port Authority, immediately, without any further delay.



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W.P No.6094 of 2021

For Petitioner : Mr.K.Rajamani

For Respondents : Mr.A.Kumaraguru,
Senior Panel Standing Counsel

ORDER

The present writ petition has been filed with a prayer of Mandamus to direct the 1st respondent to perform his official duty in compliance with its own the transfer policy No.A-12023/12/2014-PE-I dated 3rd March 2020 and as per the directions issued by the 3rd respondent on various dates in respect of rotational transfer of HOD level officers for all Major Ports in the Country, including implementation of the transfer policy in Chennai Port Authority.

2. The learned counsel appearing on behalf of the petitioner would submit that according to the transfer policy, the officer HODs have to be transferred once in three years whereas, many of the HODs has not been transferred even after completion of three years.

3. At this juncture, the learned Senior Panel Standing Counsel appearing on behalf of the respondents would submit that, now the Ministry has changed the transfer policy and as per the amended transfer policy, transfer for HODs would arise once in five years instead of three years. Therefore,



there is no question of transferring the HODs within three years. The present representation given by the petitioner is dated 8th June 2023 and after presentation of the present representation, the transfer policy was changed, which has not been taken into consideration by the petitioner.

4. I have given my anxious consideration to either side submissions and also perused the materials available on record.

5. The main grievance raised by the petitioner is that the violation of Central Vigilance Commission orders in transferring the HOD level officers once in three years, whereas, it comes to light that the respondents had amended the transfer policy and extending the period from three years to five years.

6. In such view of the position, there is no case to be adjudicated in pursuance of the petitioner's representation dated 8th June 2023. Hence, this Court do not find any merits in the present writ petition and the same is liable to be dismissed. However, the petitioner has got any grievance in respect of transfer guidelines, which is implemented by the respondents, the petitioner



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may give a representation to the respondents within a period of fifteen (15) days from the date of receipt of a copy of this order. On receipt of such representation, the 1st respondent is directed to consider the same within a period of six (6) weeks, thereafter.

7. In the result, the present writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition stands closed.

09.07.2025

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Index : Yes
Speaking Order : Yes /No
Neutral Citation Case: Yes/No

To:

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C. KUMARAPPAN, J.

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