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WP No. 8308 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 8308 of 2025

AND

WMP NO. 9312 OF 2025

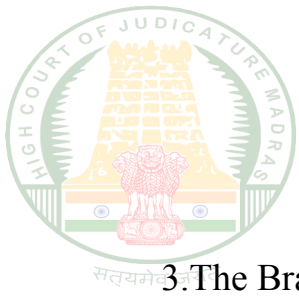
1. A.Chandran
S/o.Appadurai,
Chinnamarathupatti Village,
Thimmarayanahalli, Palacode Tk,
Dharmapuri District.

Petitioner(s)

Vs

1. The Managing Director
Tamil Nadu State Transport
Corporation (Salem Ltd),
No.12 Ramakrishnan Salai,
Salem District- 636 007.

2.The General Manager
Tamil Nadu State Transport
Corporation (Salem Ltd)
(Dharmapuri Division)
No.88/25 Bharathipuram,
Dharmapuri District- 636705.



WP No. 8308 of 2025

3. The Branch Manager

Tamil Nadu State Transport

Corporation (Salem Ltd), (Krishnagiri

Mousfal Road), Krishnagiri District.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, to call for the records of the impugned Transfer order passed in PA. Ne 4/ 7396 /Tha APooga/ Tha Puri/2025 dated 21.02.2025 by the 2nd respondent and quash the same as illegal and consequently direct the respondent to permit the petitioner to work in the 3rd respondents branch.

For Petitioner(s): M/s. K.Gandhi Kumar

For Respondent(s): M/s.K.Raja Standing Counsel

For Respondents

ORDER

The writ petition has been filed challenging the transfer order dated 21.02.2025.

2. Heard Mr.K.Gandhi Kumar, learned counsel for the petitioner and Mr.K.Raja, learned Standing Counsel for the respondents.

3. It is the submission of the petitioner that the standing order of the Corporation did not have clause to effect transfer, whereas, the petitioner was



WP No. 8308 of 2025

WEB COPY

transferred from Krishnagiri District to Thiruppattur District, which is contrary to the Rules.

4. The learned Special Government Pleader would vehemently contend that the transfer is incidence of service, therefore, the petitioner cannot have any grievance in respect of the impugned order. Apart from that, the standing order is not the ultimatum for the Management to transfer a person to one place to another place and the standing order is only in respect of working condition and regarding the benefits given to the employee.

5. I have given my anxious consideration to either side submissions.

6. Though the learned counsel would submit that the standing order does not have any clause for transfer, this Court is of the firm view that the standing order is not the ultimatum for the Authority to transfer the individual from one place to another place as it is the incidence of service and can be faced while appointing the person. As such, the Authority has got every right to transfer the person on administrative reasons.

7. As already stated, the transfer is the incidence of service. While exercising the power of judicial review, the Writ Court cannot interfere with the transfer order, unless such order is *mala fide* or bias. Even if any transfer order



WP No. 8308 of 2025

issued with bias, it is the duty of the employee to implead the said Officer in his individual capacity. Here, it is not the case of *mala fide* transfer and the order itself had been categorically stated that he has been transferred on the administrative reasons. Therefore, whenever, the Authority issued transfer order on administrative grounds, the interference by the Court would make an adverse impact upon the administration. Therefore, this Court does not find any merits in this writ petition.

8. In the result, this writ petition is dismissed. No costs. Consequently, connected WMP is also closed.

25-06-2025

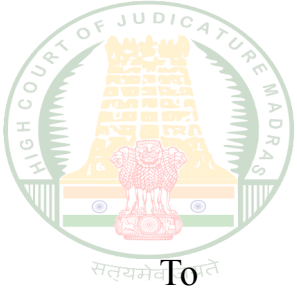
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Index: Yes/No

Speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No. 8308 of 2025

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C.KUMARAPPAN J.

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