



WP NO. 17463 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-08-2025

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P No. 17463 of 2025

AND

WMP Nos. 19804 and 19805 of 2025

K.Murugesan

S/o. B Kandasamy, Reside At D No. 2/113 Natha Kadu,
Akkiampatti Senthamangalam Taluk Namakkal District
637 409.

Petitioner(s)

Vs

1. The Additional Secretary To Government
Transport Department Chairman Of Transport Corporation
Secretariat, Chennai 600 009.

2. The Managing Director
Tamilnadu State Transport Corporation, Salem 07.

3. The General Manager
Tamil Nadu State Transport Corporation, Salem Division 1, 12 Ramakrishnan
Road, Salem 07.

4. The Assistant Manager
Tamilnadu State Transport Corporation, Salem 07.

5. The Branch Manager
Tamilnadu State Transport Corporation Salem Division 1
Meiyanur Salem 66 005.

Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to
issue a Writ of Certiorari Mandamus, calling for records relating to the order No.

E1/489/Meiyanoor Branch /TNSTC (Salem)/2025 dated 24.04.2025 passed by the



Respondent No. 5 and to order No. E2/820/TNSTC (Salem) /2025 dated 23



passed by the Respondent No. 4 and quash the same and to direct the respondent to

permit the Petitioners to continue to work as Driver at Meiyanoor and to pass orders

accordingly.

For Petitioner(s):

M/s. N.Krishnamoorthy

For Respondent(s):

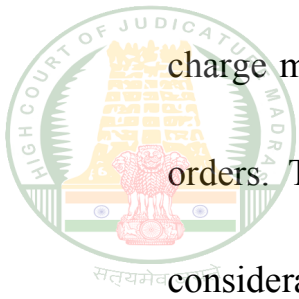
Mr.R.Sasikumar, Govt.Advocate For R1

Mr.K.Raja, S.C., For R2

ORDER

The learned counsel for the petitioner would submit that the petitioner has been transferred from Meiyanoor to Hosur which is punitive in nature. He further submitted that contemporary issuance of transfer order along with the suspension order would palpably indicate that the transfer order is punitive in nature and that no transfer could be ordered as a punishment. Hence he prays this Court to interfere with the same.

2.Per contra, the learned standing counsel appearing for the respondents strongly objected and submitted that it is the 1st transfer to the petitioner after a period of 11 years for his delinquency of misbehaving with the women passenger. Therefore, the



charge memo was issued. There is no nexus between the charge memo and

orders. The charge memo and transfer orders have been issued after taking into

consideration to have free and fair enquiry. Therefore, the administrative transfer is

not amenable for judiciary review.

3. I have given my anxious consideration having heard both sides and perused the materials available on record.

4. It is well settled principle of law that the Writ Court while sitting under Article 226 should not attempt to micromanage in the administration of the authority concerned.

It is for the authority to decide where and how the workforce to be placed for optimum utilization. In the case in hand, the only grievance raised by the petitioner is that the charge memo is punitive in nature, as the charge memo has been issued immediately after transfer. This Court is not in a position to agree with the submissions made by the petitioner's counsel.

5. According to the respondent's counsel, the petitioner has misbehaved with the lady passenger while he was serving in Meiyanoor. Therefore, as on a administration, has to to decision of placement of the employee to have a fair and free enquiry. Hence,



this Court do not find any mala-fide on the part of the respondents. Howe

petitioner has invited to the attention of this Court about the representation dated

26.04.2025 given to the respondents.

WEB COPY

6. In view of the aforesaid representation dated 26.04.2025 given by the petitioner, without going into the merits of the case, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 26.04.2025 on its own merits and pass orders in accordance with law within a period of eight weeks from the date of receipt of copy of this order. Until the said representation is considered, the impugned order is stayed.

7. In the result, the Writ petition is disposed of with the aforesaid directions. No costs. Consequently, connected miscellaneous petitions are closed.

08-08-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Lbm



WEB COPY

1. The Additional Secretary To Government
Transport Department Chairman Of Transport Corporation
Secretariat, Chennai 600 009.
2. The Managing Director
Tamilnadu State Transport Corporation, Salem 07.
3. The General Manager
Tamil Nadu State Transport Corporation, Salem Division 1, 12 Ramakrishnan
Road, Salem 07.
4. The Assistant Manager
Tamilnadu State Transport Corporation, Salem 07.
5. The Branch Manager
Tamilnadu State Transport Corporation Salem Division 1 Meyyanur Salem 66
005.



WEB COPY



C.KUMARAPPAN, J.

Lbm

W.P No. 17463 of 2025

AND

WMP Nos. 19804 and 19805 of 2025

08.08.2025