



WEB COPY



W.P.No.20659 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.20659 of 2025

and

W.M.P.Nos.23281 and 23288 of 2025

Subramani

... Petitioner

Vs.

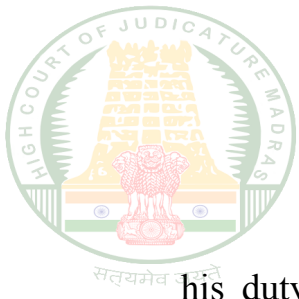
1. The Director General of Prisons and Correctional Services,
Whannels Road,
Egmore,
Chennai – 600 008.

2. The Superintendent of Central Prison,
Central Prison,
Salem – 636 008.

3. The Superintendent of Central Prison,
Central Prison,
Palayankottai.

... Respondents

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 impugned order passed by the second respondent vide his proceedings in No.9457/PO1/2025-8 dated 25.05.2025 and quash the same as illegal and incompetent, subsequently to permit the petitioner to continue



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his duty the Grade-I Warder at Central Prison, Salem by considering the petitioner's representation dated 02.06.2025.

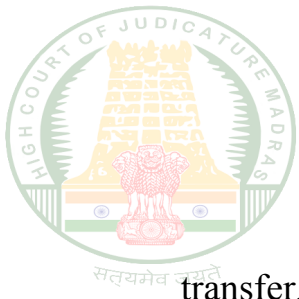
For Petitioners : Mr.C.Deepak Kumar
For Respondents : Mr.S.Naveen Kumar,
Government Advocate (for R1 to R3)

ORDER

The instant writ petition has been filed challenging the order dated 25.05.2025 passed by the second respondent.

2. The learned counsel for the petitioner would submit that he served in the Central Prison, Salem, as Grade-I Warder. It is the submission of the learned counsel for the petitioner that on 25.05.2025, he has been transferred to the Central Prison, Palayankottai. He would further submit that his wife is serving in a private concern at Salem and his mother is an aged person. Hence, the petitioner's presence at Salem is very much essential. On the above ground, he challenged the impugned transfer order.

3. The learned Government Advocate appearing for the respondents would vehemently contend that the transfer is a routine administrative transfer and the petitioner cannot have any grievance in respect of the



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transfer, as it is an incidence of service. He would further submit that the present transfer is only after completion of three years' service in Salem. Hence, he prayed to dismiss the instant Writ Petition.

4. I have given my anxious consideration to the submissions made on either side.

5. It is well-settled principles of law that the transfer is an incidence of service and that unless the transfer is made with malafide or vindictive manner, while exercising the power of judicial review, the Writ Court cannot interfere with the same. Therefore, this Court does not find any merits in the present Writ Petition. At the same time, the petitioner has given a representation to the first respondent, vide representation dated 02.06.2025, and such representation is yet to be considered by the first respondent. In such view of the matter, without going into the merits of the present Writ Petition, this Court deems it appropriate to direct the first respondent to consider the petitioner's representation and pass orders on its own merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.



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6. In the result, this Writ Petition is disposed of with the above observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.

11.06.2025

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Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

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C.KUMARAPPAN, J.

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