



WEB COPY



W.P.No.20372 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2025

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.P.No.20372 of 2025
and W.M.P.Nos.22961 & 22962 of 2025

P.Pounesan

... Petitioner

Vs.

1. The Director General of Police,
and Correctional Services,
Prison Headquarters,
Egmore, Chennai – 600 008.
2. The Superintendent of Prison,
Central Prison,
Salem.
3. The Superintendent of Police,
Central Prison – II,
Puzhal, Chennai – 600 066.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of certiorari, to call for the records in the order bearing No. 40201/ES3/2022 dated 27.05.2025 passed by the first respondent and the consequential order bearing No. 9652/po.1/2025 dated 27.05.2025 passed by the second respondent and quash the same.

For Petitioner : Mr.M.Radhakrishnan

For R1 to R3 : Mr.G.Nanmaran
Special Government Pleader



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ORDER

The writ petition has been filed challenging the transfer order dated 27.05.2025, issued to the petitioner by the first respondent and the consequential relieving order dated 27.05.2025, passed by the second respondent.

2. The case of the petitioner is that he joined the respondent / department as Warder Grade II and promoted as Chief Head Warder. While so, he was shocked to receive an order dated 27.05.2025, passed by the first respondent, transferring the petitioner from Sub Jail, Krishnagiri to Central Prison, Puzhal, Chennai and the consequential order was passed by the second respondent dated 27.05.2025, relieving the petitioner from the said post with immediate effect. Therefore, the petitioner made a representation to the first respondent dated 01.06.2025, to cancel the order of transfer. But the respondent / department has not considered the same. Hence the writ petition.



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3. Mr.G.Nanmaran, learned Special Government Pleader who takes notice for the respondents 1 to 3, would submit that the petitioner's representation will be considered within a reasonable time.

4. It is a well settled principle of law that the place of posting is not a choice of an employee and it is the domain of the authority as to where the employee to be placed. Interference of the transfer orders under Article 226 of the Constitution of India would become anathema to the better administration unless such transfer is tainted with malafide. Routine interference would cause great hardship to the administration.

5. Since the petitioner has already given representation to the respondents, without going into the merits of the matter, this Court deems it appropriate to direct the first respondent to consider the petitioner's representation dated 01.06.2025, and pass orders on it's 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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In the result, the Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

25.06.2025

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

1. The Director General of Police,
and Correctional Services,
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3. The Superintendent of Police,
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C.KUMARAPPAN, J.

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