



WEB COPY

WP No. 20818 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 20818 of 2025

and

WMP Nos. 23489 & 23490 of 2025

Periyasamy
S/o.Ranganathan,
Residing at No.12/147,
Seeppliyur, Pallipatti,
Salem 636 458.

Petitioner(s)

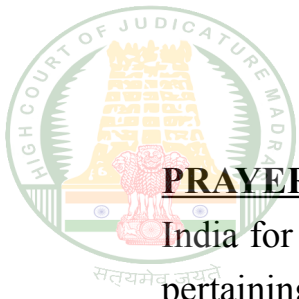
Vs

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-1, Puzhal, Chennai.

Respondent(s)



PRAYER: This Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent vide his proceedings in No.9457/PO1/2025 dated 31.05.2025 and quash the same as illegal and incompetent, subsequently to permit the petitioner to continue his duty the Grade I Warder at Central Prison Salem by considering Petitioner's representation dated 03.06.2025.

For Petitioner: M/s. C.Deepak Kumar

For Respondents: Mr.R.Sasikumar,
Government Advocate

ORDER

The instant writ petition is filed challenging the order dated 31.05.2025 passed by the 2nd respondent, by and in which, the petitioner has been transferred from Central Prison, Salem to Central Prison-I, Chennai.

2. Mr.R.Sasikumar, learned Government Advocate, takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for disposal at the time of admission stage itself.

3. It is the specific submission of the learned counsel for the petitioner that the petitioner has aged parents with medical issues, requiring regular



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attention at Salem, further on account of his wife's employment in the Government High School, Kunjandiyur Mettur Taluk, Salem District, his presence in Salem would be of immense help to take care of his aged parents and family. He further submitted that the impugned transfer was effected mechanically, without even considering the petitioner's grievance. Apart from the above ground, to challenge the impugned order, the petitioner has raised educational aspect of his children also. Hence, he prayed to interfere with the impugned order.

4. Per contra, Mr.R.Sasikumar, learned Government Advocate appearing for the respondents, strongly opposed the contention made by the learned counsel for the petitioner and submitted that the transfer of the petitioner is an administrative transfer, which takes place at a regular interval.

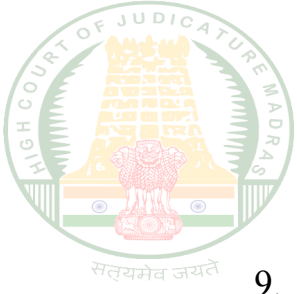
5. I have given my anxious consideration to the submission made by the learned counsel on either side and perused the materials available on record.



6. It is a well settled principle of law that transfer can be challenged only on the ground of *mala fides* or if the same is against the public interest.

7. In the case on hand, it is the specific submission of the respondents that the transfer of the petitioner is merely an administrative transfer. However, the learned counsel for the petitioner would submit that the petitioner's presence at Salem, would be of immense help to his aged parents, who have significant health issues as well as on account of employment of his wife. While exercising judicial review, this Court cannot adjudicate the above ground as it is for the appointing authority to consider the same.

8. Accordingly, this Court does not find any merit in the impugned order dated 31.05.2025. However, taking into consideration of the fact that the petitioner had already given representation on 03.06.2025, the respondents are directed to consider the same and pass orders on its own merits and in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order.



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9. This Writ Petition is dismissed with the above direction. No costs.

Consequently, connected Miscellaneous Petitions are closed.

12-06-2025

jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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