



W.P.No.24816 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.24816 of 2025
and W.M.P.No.27979 of 2025

P.Senthilkumar

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation,
Salem Ltd,
No. 12, Ramakrishna Stret,
Salem – 7

2.The Deputy Manager,
Tamil Nadu State Transport Corporation,
Salem Ltd,
No. 12, Ramakrishna Street,
Salem – 7

3.The Branch Manager,
Tamil Nadu Transport Corporation,
Salem Ltd,
Namakkal Branch – 1
Namakkal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records related to the impugned transfer order issued by the 2nd respondent vide E2/821/Tha.A.Po.Ka (Salem)/2025 dated 22.04.2025 and quash the same as illegal.

For Petitioner

: Mr.K.Muthu Ganesa Pandiyan



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For Respondents : Mr.K.Raja
Standing Counsel

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Writ of Certiorari, to call for the records related to the impugned transfer order issued by the 2nd respondent vide E2/821/Tha.A.Po.Ka (Salem)/2025 dated 22.04.2025 and quash the same as illegal.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner was inducted in Respondents/Transport Corporation as Conductor on 30.06.2015. It is the submission of the petitioner that the petitioner was transferred from Namakkal Branch to Pallapatti Branch vide impugned order dated 22.04.2025. It is the further submission of the petitioner that the impugned transfer is punitive in nature, as he protested for the rights of the



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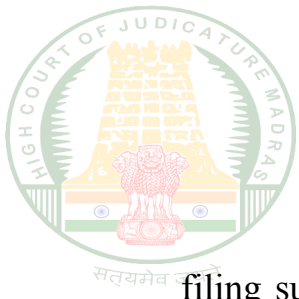
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labour. Hence, the respondents took the petitioner's protest in an offensive way, and with punitive intention, ordered transfer of the petitioner.

5. However, the contention of the petitioner was strongly objected by the learned Standing Counsel appearing for the respondents and would submit that only upon the petitioner's request in the year 2021, he was transferred to the present Branch and therefore, the same is not a punitive transfer, further the impugned transfer order only refers it is an administrative transfer.

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

7. Though the learned counsel for the petitioner relied upon a document dated 07.03.2025, which is addressed to the General Manager, Tamil Nadu State Transport Corporation, Salem about the filing of certain petition by the P.Senthilkumar, through this document, this Court cannot have any inference that such impugned transfer order dated 22.04.2025 is a punitive in nature and only to wreak vengeance against the petitioner for



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filing such claim before the Labour Authorities. Apart from that, unless the transfer is tainted with *mala fide*, the Writ Court should be slow in interfering with such transfer order. Hence, there are no proof to enter the traces of *mala fide*.

8. In such view of the position, this Court do not find any merits in the present writ petition. However, the petitioner is given liberty to give a representation before the respondents for retransfer. If such representation is received, the respondents are directed to consider the same sympathetically on it's own merits, within a period of two weeks from the date of receipt of copy of this order.

9. In the result, the Writ Petition is dismissed with above direction. No costs. Consequently, the connected writ miscellaneous petition is closed.

09.07.2025

Index : Yes/No
Speaking order
Neutral Citation : Yes/No
dm



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C.KUMARAPPAN, J.

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