



WEB COPY



W.P.No.23895 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

**CORAM
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

**W.P.No.23895 of 2025
and
W.M.P.Nos.26910 & 26911 of 2025**

B.Krishnamurthy

... Petitioner

Vs.

The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Chennai House,
Chennai - 600 104.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of certiorari, to call for the records relating to the order dated 20.06.2025 made in Na.Ka.No.1685/E2(2)/2025, passed by the respondent and quash the same.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.C.Rajakumar
Standing Counsel



W.P.No.23895 of 2

ORDER

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The writ petition is filed challenging the order dated 20.06.2025, by and which, the petitioner was transferred from Chennai to Trichy.

2. The case of the petitioner is that by the impugned order dated 20.06.2025, he was transferred from Chennai, Central office to the office of Zonal Deputy Director, Tamilnadu Khadi and Village Industries, Trichy and also on the very same day, he was served with a show cause notice for the alleged dereliction of duty. Hence the petition.

3. Learned Counsel for the petitioner would submit that the impugned transfer order is nothing but punitive in nature, since on the date of issuance of transfer order, he was also served with show cause notice. He further submits that the petitioner has been in service from the date of his joining and has been doing service without any demur and only after issuance of show cause notice, as a punishment, he has been transferred to Trichy and according to the service jurisprudence, no transfer should be effected as punishment. Hence prayed to interfere with the impugned order.



W.P.No.23895 of 2

WEB COPY

4. *Per contra*, Mr.C.Raja Kumar, learned Standing Counsel who takes notice for the respondent would submit that the interference of the transfer order under judicial review is unknown to law, unless such transfer order is tainted with malafide and even if the transfer order is malafide, the person against whom the allegation is made must be impleaded in his personal capacity.

5. I have given anxious consideration to the submission on either side.

6. In the case in hand, the core submission of the petitioner is that the instant transfer was imposed as a punishment as could be inferred through issuance of show cause notice dated 20.06.2025. Though the show cause notice and the transfer order coincides, this Court is not in a position to agree with the submissions, as the transfer order categorically states that it is on the administrative ground.

7. In such view of the matter, this Court does not want to interfere with the impugned order. However, taking into consideration of all the



W.P.No.23895 of 2

surrounding circumstances, this Court deems it appropriate to give a liberty to the petitioner to give representation to the respondent within a period of 7 days from the date of receipt of a copy of this order and if any such representation is received, the respondent is directed to consider the same and pass orders on it's own merits and in accordance with law within a period of four weeks from the date of receipt of such representation.

In the result, the Writ Petition stands dismissed. No costs.
Consequently, connected miscellaneous petitions are closed.

02.07.2025

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

To
The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Chennai House,
Chennai - 600 104.



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W.P.No.23895 of 2025

C.KUMARAPPAN, J.

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W.P.No.23895 of 2025

02.07.2025