



WEB COPY



W.P.No.24980 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

**W.P.No.24980 of 2025**

**and**

**W.M.P.Nos.28147 and 28148 of 2025**

D.Nagaraju

... Petitioner

Vs.

1.The Tamilnadu State Transport Corporation  
(Coimbatore) Ltd,  
Rep by its Managing Director,  
37, Mettuplayam Road,  
Coimbatore – 641 043.

2.The General Manager,  
Tamil Nadu State Transport Corporation  
(Coimbatore) Ltd,  
Erode Region,  
45, Chennimalai Salai,  
Erode.

3.The Branch Manager,  
Sathiyamangalam Branch,  
Tamil Nadu State Transport Corporation  
(Coimbatore) Ltd,  
Erode Region.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order dated 20.06.2025 passed by the 2<sup>nd</sup> respondent in Proceeding No.Ka.No.456/B2/PaPi1/TNSTC/Co/EiMa/25, transferring the petitioner from Sathiyamangalam Branch to Karur Branch and the Relieving Order No.17887 issued by the 3<sup>rd</sup> respondent, relieving the petitioner from Sathiyamangalam Branch w.e.f. 25.06.2025 and quash the same and direction to the respondents 1 to 3 to retain the petitioner and to continue his services at Sathiyamangalam Branch.

For Petitioner : Mr.R.Krishnaswamy

For Respondents : Mr.M.Murali Vinodh  
Standing Counsel

### **ORDER**

The instant writ petition has been filed with a prayer for issuing a Certiorarified Mandamus, to call for the records pertaining to the order dated 20.06.2025 passed by the 2<sup>nd</sup> respondent in Proceeding No.Ka.No.456/B2/PaPi1/TNSTC/Co/EiMa/25, transferring the petitioner from Sathiyamangalam Branch to Karur Branch and the Relieving Order No.17887 issued by the 3<sup>rd</sup> respondent, relieving the petitioner from Sathiyamangalam Branch w.e.f. 25.06.2025 and quash the same and direction



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to the respondents 1 to 3 to retain the petitioner and to continue his services at Sathiyamangalam Branch.

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

3. The learned counsel for the petitioner would submit that the petitioner was transferred from Sathiyamangalam to Karur. It is the specific submission of the petitioner that the Standing Order which regulates the service conditions of the petitioner does not have a clause to transfer the employee from one branch to another branch. It is the further submission of the petitioner that the very transfer order is nothing but a punitive transfer, as the transfer came into effect after the petitioner initiated the disciplinary proceedings. It is further submitted that the petitioner is having young children aged about 3 and 5. Therefore, his presence at Sathiyamangalam would be of women's help to take care of his family as well as his work. Hence, prayed to interfere with the same.



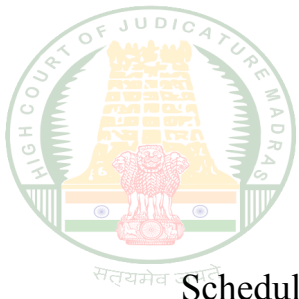
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4. At this juncture, the Standing Counsel for the respondents would submit that though the Standing Order does not contain the clause for transfer, by way of an appointment order, all the terms and conditions have been stipulated, and the appointment order would include the power of transfer by the respondents.

5. It is the further submission that only after getting a complaint from the passenger, to have an effective enquiry, the petitioner was transferred on administrative grounds. Hence, there are no grounds to interfere with the same.

6. The prime contention of the learned counsel for the petitioner is that there is no Standing Order to transfer the petitioner. However, this position has been settled by plethora of judgments. Thus, the non-inclusion of transfer in the Standing Order does not mean that the authority has no power to transfer the employee. It is pertinent to mention here that according to Section 2(g) of the Industrial Establishment Standing Orders Act, the Standing Order would be framed only in respect of the clauses stipulated in the Schedule, and in the Schedule, transfer not referred. Therefore, when the



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Schedule itself does not speak about the transfer, the question of including the transfer in the Standing Order becomes insignificant. Apart from that, the learned counsel would submit that even while issuing the appointment letter, the petitioner had been informed about his transfer.

7. While coming to the peculiar facts of this case, the petitioner was transferred subsequent to the complaint received from the passenger. No doubt, the same would appear to be punitive one. However, for better administration, the management has got the right to transfer the employees judiciously, and in the case in hand, according to the respondent, to have an effective enquiry, they effected the transfer.

8. In view of the above discussion, though this Court does not find any merits in the present writ petition, the submission of the petitioner is that the petitioner has got young children aged about 3 and 4 would impel this Court to give a direction to consider the petitioner's representation. Therefore, taking into consideration of the submission of the learned counsel for the petitioner, this Court would like to direct the respondents to consider the petitioner's representation, which would be submitted by him within a period



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of one week from the date of receipt of a copy of this order, and if such representation is received by the respondents, the respondents are directed to consider the same sympathetically, taking into consideration the petitioner's family circumstances within a period of six weeks thereafter and pass orders according to its own merits and in accordance with law.

9. In the result, this writ petition stands disposed of. No costs.  
Consequently, connected Writ Miscellaneous Petitions are closed.

**10.07.2025**

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Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No



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**C.KUMARAPPAN, J.**

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