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W.A No. 2446 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2025

CORAM

THE HONOURABLE MR JUSTICE R. SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.A No. 2446 of 2025

K.Gnanavel
S/O.Kothandan, Sanitary Supervisor,
Madurantakam Municipality, Chengalpattu
District.

... Appellant

Vs

1. The Director Of Municipal Administration
No.75, Urban Administrative Building, Santhome High Road,
MRC Nagar, Raja Annamalaipuram, Chennai-38.

2.The Joint Commissioner (Administration)
No.75, Urban Administrative Building, Santhome High Road,
MRC Nagar, Raja Annamalaipuram, Chennai-600 028.

3.The Commissioner
Madurantakam Municipality, Chengalpattu District.

... Respondents

PRAYER

Writ Appeal under Clause 15 of the Letters Patent to set aside the order dated 09.07.2025 in WP.No. 13743 of 2025.



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For Appellant : Mr.G.Mageshkumar

For Respondents : Mr.P.Anandakumar
Government Advocate

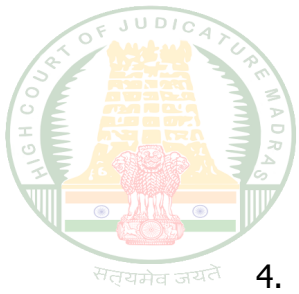
JUDGMENT

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This writ appeal has been directed against the order passed by the Writ Court dated 09.07.2025 made in W.P.No.13743 of 2025.

2. The appellant was the writ petitioner, who was working as Sanitary Supervisor at the third respondent Municipality and he had been working in that Municipality for the last more than five years. When that being so, an order of transfer has been issued by the first respondent vide his proceedings dated 21.03.2025, whereby he has been transferred from third respondent Municipality to Chidambaram Municipality.

3. The said transfer order was under challenge in the writ petition. The learned Judge, who heard the writ petition, dismissed the same by order dated 09.07.2025.



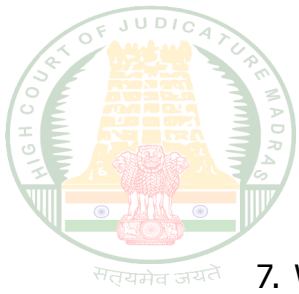
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4. Assailing the said order, the learned counsel for the appellant / writ petitioner submitted that, though the order dated 21.03.2025 appears to be a transfer simpliciter, it is not so, as before the order is passed, some recommendation has been made by the third respondent to the first respondent to transfer the writ petitioner on the basis of some complaints said to have been received by her, and therefore it is punitive transfer. When that being a punitive transfer, it can be questioned and therefore the transfer order ought to have been interfered with by the writ Court. Hence, he seeks the indulgence of this Court to interfere with the order impugned as well as the order impugned before the writ Court.

5. Heard the learned Additional Government Pleader for the respondents, who would submit that it is a mere transfer order and no allegation has been made against the appellant and nothing had been stated or indicated in the order impugned in the writ petition dated 21.03.2025. Hence, such an order of transfer cannot be questioned without any plausible reasons like want of jurisdiction or statutory violation or malafide intention, and therefore, the order passed by the Writ Court is to be sustained, he contended.

6. We have heard the learned counsel for both sides and have perused the materials placed on record.



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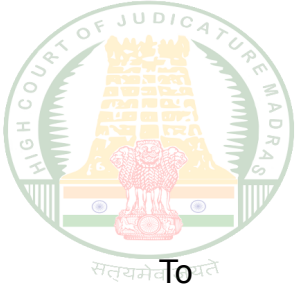
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7. We have gone through the order dated 21.03.2025. We do find that the transfer order has been made by the first respondent only for administrative exigencies. It is further to be noted that admittedly the writ petitioner / appellant has been working in the third respondent Municipality for the past more than five years. When that being so, routinely for administrative reasons he is transferred by way of transfer simpliciter, that cannot be questioned except for three reasons viz., for want of jurisdiction, statutory violation or malafide intention. Here in the case in hand, no such grounds are available to challenge the order of transfer successfully by the appellant. Therefore, there is every justification on the part of the learned Judge through the impugned order dated 09.07.2025, we do not find any error in the approach of the writ Court in passing the impugned order. Resultantly, the writ appeal fails and it is dismissed. No costs.

(R.SURESH KUMAR J.) (P.DHANABAL J.)
18-08-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

KST



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