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W.A No. 2572 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-08-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

W.A No. 2572 of 2025

and C.M.P.No.20543 of 2025

A. Chandran
S/O. Appadurai, Chinnamarathupatti Village,
Thimmarayanahalli, Palacode Taluk, Dharmapuri
District.

..Appellant

Vs

1. The Managing Director
Tamil Nadu State Transport Corporation (Salem Ltd),
No.12, Ramakrishna Salai, Salem District - 007.
2. The General Manager
Tamil nadu State Transport Corporation (Salem Ltd),
(Dharmapuri Division),No.88/25, Bharathipuram,
Dharmapuri District - 705.
3. The Branch Manager
Tamil Nadu State Transport Corporation (Salem Ltd),
Krishnagiri Mousfal Road), Krishnagiri District.

..Respondents

Prayer : Writ Appeal under Clause 15 of Letters Patent to set aside the order dated 25.06.2025 passed in WP No.8308 of 2025 on the file of this Honble Court.

For Appellants : Mr.K.Gandhi Kumar

JUDGMENT

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

This intra court appeal has been filed against the order passed by the Writ Court dated 25.06.2025 made in W.P.No.8308 of 2025. The appellant herein was



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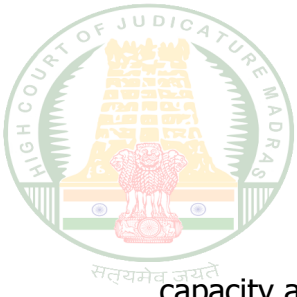
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the writ petitioner, who questioned the order of transfer dated 21.02.2025 issued by the second respondent, transferring him from Krishnagiri to Tirupattur District.

2. Heard the learned counsel for the appellant. She would submit that as per the Standing Orders, unless the driver is involved in a fatal accident, he cannot be transferred from district to district. Here in the case in hand, the transfer has since been made as an inter-district transfer and moreover it is a malafide transfer and therefore it is liable to be interfered with. However, the learned Judge, who passed the order rejecting the said writ petition through the impugned order dated 25.06.2025 has not considered all these aspects in proper perspective. Therefore, the learned counsel for the appellant seeks the indulgence of this Court.

3. We have considered the submissions made by the learned counsel for the appellant and have perused the materials placed before this Court.

4. No doubt, transfer is an incident of service as it is one of the service conditions which every employee has to face. Here in the case in hand, if we peruse the order of transfer, it is seen that the transfer order was made solely on administrative reasons, nothing more and nothing less. If at all the petitioner / appellant claims that it is a malafide transfer, such allegation should have been made against the person, who also must have been made as a party in his personal



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capacity apart from his official capacity. In the present case, no such malafide has been alleged nor the second respondent being the General Manager of the Tamil Nadu State Transport Corporation, Dharmapuri Division has not been shown in his personal capacity.

5. When that being so, in the absence of such procedure being adopted, the petitioner/appellant cannot take the ground of malafide also. Therefore, absolutely there is no reason or ground to interfere with the view taken by the learned Judge in rejecting the writ petition. Therefore, for all the above reasons, the order of the learned single Judge has to be sustained and accordingly it is sustained. The Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (K.G.T.,J.)
29-08-2025

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

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**R.SURESH KUMAR, J.
AND
K.GOVINDARAJAN THILAKAVADI, J.
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