



WEB COPY



W.P.No.28523 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :30.07.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.28523 of 2025
and W.M.P.No.31921 of 2025

P.Thamizharasan

... Petitioner

Vs.

1.The Director General of Police/
Director General
of Prisons and Correctional Services,
Whannels Road,
Egmore,
Chennai – 600 008.

2.The Superintendent of Prison,
Office of the Superintendent of Prison,
Central Prison,
Cuddalore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorari, to call for the records relating to the
order passed by the 2nd respondent vide No.18838/Ki.Ce.Uo/2024-1 dated
22.07.2025 transferring the petitioner from Sub-Jail, Thindivanam to Central
Prison, Coimabtoe and quash the same.

For Petitioner : Mr.S.Concious Ilango

For Respondents : Mr.R.Sasi Kumar for R1 and R2
Government Advocate



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ORDER

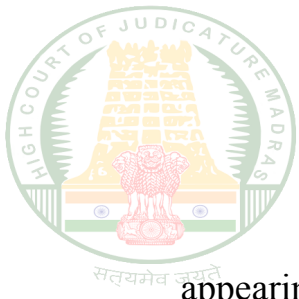
The instant writ petition has been filed to call for the records relating to the order passed by the 2nd respondent vide No.18838/Ki.Ce.Uo/2024-1 dated 22.07.2025 transferring the petitioner from Sub-Jail, Thindivanam to Central Prison, Coimabtoire and quash the same.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

3. Learned counsel for the petitioner would submit that the petitioner was posted at Central Prison, Puzhal on deputation basis and on the day when he was on deputation, there were some banned articles inside the prison were recovered. In pursuance thereof, the petitioner was transferred to Central Prison, Coimbatore. He further submitted that such transfer is nothing but a punitive one. Hence, prayed to interfere with the same.

4. At this juncture, learned Government Advocate appearing for the respondents submitted that it is a administrative transfer and 17(b) charges have been framed against the petitioner. Therefore, question of interfering with the transfer order does not arise.

5. As rightly contended by the learned Government Advocate



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appearing for the respondents that 17(b) charges have been framed against the petitioner. Therefore, to have unbiased and independent enquiry, it is always better to keep the person away from the place of delinquency. Hence, this Court finds no infirmity in the transfer order issued by the respondents. However, the petitioner has raised certain family circumstances. Therefore, this Court deems it appropriate to give liberty to the petitioner to give a representation to the respondents.

6. In view of the above detailed discussions, this Court directs the petitioner to give representation to the respondents within a period of one(1) week from the date of receipt of a copy of this order. If such representation is received, the respondents are directed to consider the representation of the petitioner and pass orders on its own merits and accordance with law, within a period of four(4) weeks thereafter.

7. In the result, this Writ Petition is disposed of. Consequently connected miscellaneous petition is closed. No costs.

30.07.2025

msv

Index : Yes/No

Speaking order /Non Speaking Order



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Neutral Citation : Yes/No

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To

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C.KUMARAPPAN, J.

msv

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