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W.P.No.29531 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.29531 of 2025
and W.M.P.No.33080 of 2025

Babu

... Petitioner

-Vs-

1. The Principal Secretary,
Department of Higher Education,
Fort St.George, Chennai 09.
2. The Commissioner,
Directorate of Technical Education,
Guindy,
Chennai 25.
3. The Principal,
Government Polytechnic College,
Uthangarai,
Krishnagiri District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, call for the records of the



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transfer order from Government Polytechnic College, Uthangarai to Government Polytechnic College for Women, Madurai in No.Proceedings 26136/P.No.1/2025 dated 21.07.2025 on the file of second respondent and quash the same as illegal and direct the petitioner to continue in Government Polytechnic College, Uthangarai by considering the representation dated 25.07.2025 in accordance with law.

For Petitioner : Mr.R.Sankarasubbu

For R1 to R3 : Mr.M.Suresh Kumar

Additional Advocate General assisted by
Mr.P.Sathish, Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order of transfer 21.07.2025, thereby transferring the petitioner from Government Polytechnic College, Uthangarai to Government Polytechnic College for Women, Madurai.

2. Heard the learned counsel on either side and perused the materials available on record.



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3. Though this Court does not find any grounds to interfere with the order of transfer, on the basis of the undertaking affidavit filed by the petitioner, thereby undertaking to join in the transferred place from 01.05.2026 and considering the fact that the petitioner's children are studying 10th standard, 8th standard and 5th standard and cannot be shifted to schools in Madurai at this stage and it is very difficult to secure admissions in Madurai, this Court is inclined to defer the order of transfer till 30.04.2026. It is also noted that, in the meantime, the petitioner did not join the transferred place and as such, he was issued a charge memo for unauthorized absence.

4. The learned Additional Advocate General appearing for the respondents submitted that though the petitioner challenged the order of transfer before this Court, no interim order was granted. Even then, the petitioner failed to join the transferred place. Therefore, the petitioner was issued with charge memo for unauthorized absence.



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5. A perusal of the charge memo reveals that the petitioner failed to join the transferred place as per the order of transfer dated 21.07.2025 and disobeyed the same. Further, the petitioner was absent unauthorizedly from 07.08.2025 to this day. The charge memo was issued on the petitioner only because the petitioner did not comply with the order of transfer and did not join the transferred place.

6. In the interest of justice, considering the undertaking affidavit filed by the petitioner and the nature of charges framed against the petitioner, this Court is inclined to set aside the charge memo dated 11.09.2025. Accordingly, the charge memo dated 11.09.2025 is hereby set aside, subject to the condition that the petitioner shall join the transferred place on 01.05.2026. Failing such compliance, the charge memo dated 11.09.2025 shall revive automatically and the respondents are at liberty to proceed with the disciplinary proceedings against the petitioner in accordance with law.



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7. It is also made clear that for the period of absence, the petitioner shall not be entitled to any monetary benefits, except continuity of service. The respondents are hereby directed to permit the petitioner to join duty at the original place from which he was transferred, forthwith.

8. With the above directions, this writ petition stands disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

19.11.2025

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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Note: Issue order copy on 21.11.2025



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To

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G.K.ILANTHIRAIYAN. J,

mn

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