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W.A.No.1591 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN  
AND  
THE HONOURABLE MRS. JUSTICE K.GOVINDARAJAN  
THILAKAVADI

**W.A.No.1591 of 2025**  
**and**  
**C.M.P.No.11942 of 2025**

1.The Engineer-in-Chief, WRD  
and Chief Engineer (General), PWD,  
Chepauk, Chennai – 600 005.

2.The Executive Engineer, W.R.D.,  
The Office of Executive Engineer,  
Upper Pennaiyar Basin Division,  
Dharmapuri, Near Collectorate,  
Dharmapuri District.

3.The Assistant Executive Engineer,  
The Office of Assistant Executive Engineer,  
Upper Pannaiyar Basin Sub Division,  
Varnatheertham Extension, Harur,  
Dharmapuri District.

4.The Divisional Officer, R.W.D.,  
Ground Water Division, Salem.

...Appellants

Vs.



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T.Milton

...Respondent

**Prayer:** Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 23.01.2024 made in W.P.No.11950 of 2022 and allow the Writ Appeal.

For Appellants : Mr.T.Chandrasekar,  
Special Government Pleader

For Respondent : Mr.R.Veeramani

\*\_\*\_\*\_\*\_\*

## **J U D G M E N T**

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

We do not see any reason to interfere with the order of the writ Court. This case is a classic example of the effect of outsourcing of drafting of counter affidavits by the office of the Government Pleader.

2. Though the order impugned in the Writ Petition was very carefully worded by the officer concerned and it was made to appear that it was a transfer only on administrative grounds, the counter affidavit went



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beyond the order impugned and sought to justify the transfer on the ground that the respondent had disobeyed the instructions of the higher official and he has incurred the displeasure of the 2<sup>nd</sup> appellant viz., the Executive Engineer. This prompted the writ Court to conclude that the order of transfer is punitive in nature.

3. Mr.T.Chandrasekar, learned Special Government Pleader would vehemently contend that since the person who was appointed in the place of the respondent has already taken charge, this Court should have a re-look into the order of the learned Single Judge.

4. We do not think we can sustain such a plea. Once it is found that the order of transfer is punitive based on the materials furnished by the appellant in the counter affidavit filed before the writ Court, we do not think we can interfere with the order of the learned Single Judge for extraneous reasons. Hence, we see no reason to interfere with the order of the writ Court.



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5. Therefore, the Writ Appeal fails and it is accordingly **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

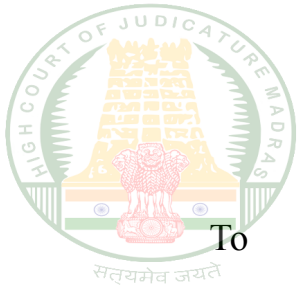
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Index : No

Neutral Citation : No

Speaking order

(R.S.M.,J.) (K.G.T.,J.)  
11.06.2025



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**R.SUBRAMANIAN, J.**  
**and**  
**K.GOVINDARAJAN THILAKAVADI, J.**

dsa

**W.A.No.1591 of 2025**

**11.06.2025**