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W.A No. 2876 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.A No. 2876 of 2025 AND CMP NO. 23238 OF 2025

R.Selvam,
Assistant Horticulture Officer, O/o. The Assistant
Director of Horticulture Office, Jolarpettai Block,
Tirupathur District.

..Appellant

Vs

1. The Director of Horticulture and Plantation Crops,
O/o. The Director of Horticulture and Plantation
Crops Department, Chepauk Chennai -600005.
2. The Deputy Director of Horticulture,
O/o. The Deputy Director of Horticulture,
Tirupathur, Tirupathur District.
3. Nagaraj,
Assistant Horticulture Officer, R.S. Mangalam
Block, Ramanathapuram District.

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 11.08.2025 in W.P.No.29700 of 2025.

For Appellant :	Mr.H.Mohammed Imran M/s.Ajmal Associates
For Respondents :	Mr.E.Vijay Anand Additional Government Pleader



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

This intra Court appeal has been directed against the order passed by the learned Writ Court dated 11.08.2025 in W.P.No.29700 of 2025. In the said writ petition, the transfer order made against the petitioner / appellant dated 01.07.2025 and the relieving order dated 24.07.2025 were under challenge.

2. The appellant / writ petitioner is an Assistant Horticulture Officer who has been subjected to transfer order issued by the second respondent dated 01.07.2025, whereby about eight persons including the writ petitioner had been transferred to various places. While considering the said writ petition, the learned Writ Court, having taken note of the fact that at least from 11.07.2022 till 01.07.2025 for more than three year since the petitioner / appellant had been working in the present station ie., Jolarpettai, from where he has been transferred to R.S.Mangalam at Ramanathapuram District, he cannot have any grievance. Therefore, on that ground the writ petition was dismissed.

3. Though against the said order the present writ appeal has been filed, after hearing the learned counsel for the appellant as well as the learned Additional



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Government Pleader for the official respondents and going through order impugned as well as the impugned orders of transfer and relieving order before the Writ Court, we find that though in the order of transfer dated 01.07.2025 it has been specifically mentioned that out of the eight transferees regarding five transferees no transfer allowance would be given since those transferees had been given transfer orders only on their requests, one among such transfer is one P.Nagaraj, who was originally working at R.S.Mangalam had been transferred and posted, where the petitioner was working ie., Jolarpettai and the appellant petitioner since has been transferred to R.S.Mangalam.

4. Therefore, it became apparently clear that only in order to accommodate the said P.Nagaraj at Jolarpettai, the appellant / writ petitioner who was working there got transferred to R.S.Mangalam. Therefore, it cannot be stated as a regular or routine administrative transfer on any exigency or contingency. The transfer order though was put under challenge unsuccessfully, the factual position would be that, pursuant to the transfer order dated 01.07.2025, a relieving order also has been passed on 24.07.2025 and admittedly the writ petitioner / appellant got relieved on the said date and he joined in the transferred place at



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R.S.Mangalam. Therefore, at this point of time we do not wish to interfere with the transfer order dated 01.07.2025 as well as the relieving order.

5. But, at the same time since the original transfer order dated 01.07.2025 insofar as the writ petitioner / appellant is concerned is not passed on any administrative exigency, if any request is made by the writ petitioner / appellant in future by making any representation, the same can be considered objectively by the respondent employer to accommodate him either in Tirupathur District or any other nearby District, depending upon the vacancy position.

6. With the above observation, this writ appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (H.C.,J.)
10-10-2025

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

KST



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To

1. The Director of Horticulture and Plantation Crops,
O/o. The Director of Horticulture and Plantation
Crops Department, Chepauk Chennai -600005.
2. The Deputy Director of Horticulture,
O/o. The Deputy Director of Horticulture,
Tirupathur, Tirupathur District.



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**R.SURESH KUMAR J.
AND
HEMANT CHANDANGOUDAR J.**

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