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W.A No. 3326 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No.3326 of 2025

and

C.M.P.No.27229 of 2025

P.Mariyappan

Assistant Horticulture Officer

O/o. The Assistant Director of Horticulture Office

Kanai Block

Villupuram District.

..Appellant

Vs

1. The Director of Horticulture and Plantation Crops
O/o. The Director of Horticulture and Plantation Crops
Department
Chepauk, Chennai-600 005.

2. The Joint Director of Horticulture
O/o. The Joint Director of Horticulture
Villupuram, Villupuram District.

3. Mr.Velmurugan
Assistant Horticulture Officer
Valliyoar Block
Tirunelveli District.

..Respondents



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Writ Appeal is filed under Clause 15 of Letter Patent to set aside the order 22.08.2025 made in W.P.No.25023 of 2025 on the file of this Court and allow the writ appeal.

For Appellant : Mr. H. Mohammed Imran
of M/s.Ajmal Associates (Law Firm)

For Respondents : Mr. E. Veda Bagath Singh
Special Government Pleader
for R1 & R2

J U D G M E N T

(Made by **HEMANT CHANDANGOUDAR, J.**)

The challenge in this intra-Court Appeal is to the order dated 22.08.2025 passed by the learned single Judge in W.P.No.25023 of 2025. By the said order, the learned single Judge rejected the prayer sought by the appellant / writ petitioner to set aside the order dated 01.07.2025 passed by the first respondent, transferring the appellant from the post of Assistant Horticulture Officer, Kannai Block, Villupuram District to Valliyoar Block, Tirunelveli District.

2. Aggrieved by the order of transfer, the appellant approached this Court in the aforesaid writ petition. The learned single Judge, taking note of the fact that the appellant had been working at the present station i.e., Kannai Circle, Villupuram District, from 13.07.2022 till the date of the impugned order,



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dismissed the writ petition.

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3. After hearing the learned counsel for the appellant and the learned Special Government Pleader for the official respondents and upon perusing the impugned order as well as the order of transfer, we find that in the transfer order dated 01.07.2025 it has been specifically stated that out of eight transferees, no transfer allowance would be granted to five, since their transfers were issued on their own request.

4. One such transferee is Mr. M. Velmurugan, who was originally working at Valliyoor Circle, Tirunelveli District. He was transferred and posted to the station where the appellant was working, and the appellant was transferred to Valliyoor Circle, Tirunelveli District. It is therefore evident that the appellant's transfer was effected only to accommodate the said Mr. M. Velmurugan.

5. In view of the above, it cannot be stated that the transfer was a regular or routine administrative transfer based on any exigency or administrative necessity. Though the transfer order was challenged unsuccessfully, the factual position remains that, pursuant to the order dated 01.07.2025, a relieving order has also been issued and, admittedly, the appellant has been relieved. At this stage, therefore, we do not find it appropriate to interfere with either the



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transfer order or the consequential relieving order.

6. However, since the original transfer order dated 01.07.2025, insofar as it relates to the the appellant, was not made on any administrative exigency, if the appellant makes a fresh representation in future, the respondents / employer shall consider the same objectively and explore the possibility of accommodating him either in Villupuram District or any nearby District, depending upon vacancy availability.

7. With the above observations, this Writ Appeal stands disposed of. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

(R.S.K.,J) (H.C., J)

20.11.2025

Index : Yes / No

Internet : Yes/No

Neutral Citation : Yes / No

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R. SURESH KUMAR, J.

and

HEMANT CHANDANGOUDAR, J.,

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