



W.P.No.41474 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2025

CORAM:

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

W.P.No.41474 of 2025 and
WMP.Nos.46438 & 46440 of 2025

Kannan B

... Petitioner

Vs.

1.The Principal Secretary,
Health And Family Welfare Department, Secretariat, 4th Floor,
Fort St. George, Chennai-600 009.

2.The Project Director,
The Tamil Nadu Health System Project, 3rd Floor,
Dms Annex New Building, 359 Anna Salai,
Teynampet, Chennai-600 009.

3.The State Head-Operations,
GVK Emergency Management Research Institute
(GVK EMRI) DMS Complex, Teynampet, Chennai-600 006.

4.The Human Resources Manager,
GVK Emergency Management And Research Institute
(GVK EMRI), DMS Compelx,
Teynampet, Chennai-600 006

... Respondents



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PRAYER:

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Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned transfer order dated 08.10.2025 passed by the 3rd respondent, quash the same and consequently direct 1st and 2nd respondents to direct 3rd and 4th respondents to permit the petitioner to continue the service at Ramanathapuram district with all consequential benefit

For Petitioner : Mr.S.Nedunchezhiyan
for Mr.I.Arockia Selvaraj

For Respondents
For R1 : Mr.M.Bindran,
Additional Government Pleader

For R2 to 4 : Mr.M.R.Gokulkrishnan

ORDER

This writ petition has been filed challenging the order of transfer dated 08.10.2025 on the file of the third respondent thereby transferring the petitioner from Ramanathapuram District to Chennai



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District as driver.

2. The petitioner is employed as Driver in the Free Hearse (mortuary van) Service Project, a public private partnership initiative under the administrative control of the first and second respondents. He was initially appointed on 23.12.2014 under the Indian Red Cross Society, Tamilnadu Branch and later continued in service after the project was taken over by the third respondent. He was working continuously at Ramanathapuram District. Now the petitioner has been transferred to Chennai District. The petitioner submits that the order of transfer itself is punitive in nature with malafide intention in order to penalise the petitioner. It is clear violation of Industrial Disputes Act since the order of transfer is nothing but unfair labour practice and clear violation of principles of natural justice. In the absence of transfer policy, the respondent ought not have transferred the petitioner as per GO.Ms.No.119 Health and Family Welfare (EAP1-1) Department dated 04.04.2022.



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3. On instruction, the learned Additional Government Pleader appearing for the first respondent submitted that in Chennai District, there are vacancies in the post of driver. So many ambulances are kept without driver. That apart, as per GO.Ms.No.119 Health and Family Welfare (EAP1-1) Department dated 04.04.2022, now guidelines have been framed for Company HR policy. Accordingly the petitioner has now been transferred and there is absolutely no malafide intention or punitive in nature. He further submits that if the petitioner joins in Chennai District and thereafter if any representation is made for re-transfer, the same will be considered.

4. That apart, through association, the petitioner already filed writ petition on the ground that as per GO.Ms.No.119 Health and Family Welfare (EAP1-1) Department dated 04.04.2022, the guidelines had not been framed. However, the writ petition was closed on recording the submissions made by the respondents therein that already guidelines had been framed as per GO.Ms.No.119 Health and Family Welfare (EAP1-1) Department dated 04.04.2022. Accordingly, guidelines have been framed



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for HR policy as per the terms including transfer as mentioned in the Government order.

5. In view of the above, this Court finds no infirmity or illegality in the impugned order. As such, this writ petition is dismissed. However, the petitioner is at liberty to join in the Chennai District and thereafter to submit a representation seeking to consider his further transfer. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

31.10.2025

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

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Teynampet, Chennai-600 006
- 5.The Government Advocate,
High Court of Madras

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