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W.P.No.40950 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM:

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

W.P.No.40950 of 2025
and W.M.P.Nos.45904 and 45905 of 2025

1. Dr.V.Mathialagan
2. Dr.R.Venkatesan

... Petitioners

-Vs-

1. The State of Tamil Nadu,
Represented By Its Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
Fort St.George, Secretariat,
Chennai-600 009.
2. The Director,
Director of Animal Husbandry and Veterinary Services,
No.571, Anna Salai, Nandanam,
Chennai-600 035.
3. The Regional Joint Director,
Office of the Regional Joint Director,
Animal Husbandry Department,
Chengalpattu District-603 001.
4. The Regional Joint Director,
Office of The Regional Joint Director,
Animal Husbandry Department,
Kanyakumari District-629 702.



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5. The Superintendent,
Government Poultry Farm, Kattupakkam,
Chengalpattu District-603 203.

6. The Assistant Director,
Animal Husbandry Department,
Nagercoil Division,
Kanyakumari District-629 702.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records of the second respondent in Na.Ka.No.30639/vs-4/2025 dated 17.10.2025 in respect of Serial Nos.26 and 27 alone and quash the same as being arbitrary.

For Petitioners : Mr.P.Nethaji
For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 17.10.2025, thereby transferred the petitioners.

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

3. The petitioners were appointed to the post of Veterinary Assistant Surgeons on 17.05.2012 under Rule 10(a)(i) of Tamil Nadu Civil Services (Disciplinary and Appeal) Rules (herein after called as “the Rules”).



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Subsequently, they were selected through competitive exams as per the Notification No.34/2022 for direct recruitment to the post of Veterinary Assistant Surgeon. Accordingly, both the petitioners were issued with appointment orders on 18.03.2024 and 07.03.2024 respectively. Thereafter, the Commissioner of Government Data Centre issued an order on 11.01.2022 to the second respondent for closure and to settle the final settlement amounts to the individual contribution alone excluding the Government contribution in respect of the Contributory Pension Scheme in Rule 10(a)(i) of the Rules. Thereafter, the Commissioner of Government Data Centre issued proceedings dated 27.07.2022 for the purpose of closure and to settle the final amount of the Contributory Pension Scheme accounts of the petitioners. Aggrieved by the same, the petitioners submitted representations, on the ground that they were not noticed and submitted representations. However, it was not considered and consequential orders dated 16.04.2024 and 24.04.2024 were passed. Hence, they approached this Court by way of writ petition in W.P.No.12486 of 2024 and obtained interim order dated 23.04.2025.

4. While being so, the first petitioner was transferred from Government Poultry Farm, Kattupakkam, Chengalpattu District to Veterinary Dispensary,



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Naalumaavadi, Tiruchendur Division, Tuticorin District and the second petitioner was transferred from Veterinary Dispensary, Kottaram, Nagercoil Division, Kanniyakumari District to Veterinary Dispensary, Pinnavasal, Thiruvavarur Division and District, on the ground of administrative reasons.

5. The learned counsel for the petitioners submitted that the petitioners were vindictively transferred for the reason that they had filed a writ petition before this Court with regard to settlement of contribution amount towards Contributory Pension Scheme by closure.

6. A perusal of records revealed that admittedly, they filed a writ petition in the year 2024. But now, they were transferred on 17.10.2025. Therefore, there is no nexus to the writ petition filed by the petitioners and an order of transfer. Therefore, mere pendency of writ petition before this Court cannot be presumed to have influenced the administrative decision of transfer unless malafides or vindictive motives are clearly established. Further, no documentary record has been produced to show that the respondents were actuated by any personal bias or that the transfer was a measure of retaliation for the petitioner approached this Court earlier.



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7. The Court, in exercise of its jurisdiction under Article 226 of the Constitution of India, will not ordinarily interfere with transfer orders unless there is clear proof of malafide intention, violation of statutory provisions, or arbitrariness that affects the rights of the employee. In the present case, none of these vitiating circumstances are made out. The petitioner has only raised personal grounds and apprehensions that, though understandable, cannot form the basis for judicial interference in a routine administrative transfer. Hence, this Court is of the considered view that the impugned transfer order dated 17.10.2025 issued by the 2nd respondent does not suffer from illegality or infirmity warranting interference.

8. In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent in Na.Ka.No.30639/Vs-4/2025 dated 17.10.2025 and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed. No costs.

29.10.2025
(½)

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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