



W.P.No.43676 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2025

CORAM

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

W.P.No.43676 of 2025

and

WMP.No.48785 of 2025

P. Rajesh

....

Petitioner

Vs.

1.The State Of Tamil Nadu
Rep By Its Principle Secretary,
Department Of Health And Family Welfare Department,
Chennai 9

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

3.The State Head Operations,
GVK Emergency Management Research Institute,
Dms Complex, Teynampet,
Chennai 60 006



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4. The Human Resources Manager,
GVK Emergency Management And Research Institute,
Dms Complex, Teynampet,
Chennai 600 006

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 4th respondent Human Resources Manager, GVK EMRI dated 29.10.2025 received by petitioner on 30.10.2025 by transferring petitioner from Theni to Krishnagiri and to quash the same and to direct the respondent 2 to 4 allow the petitioner to joint the service as Free Hearse Service Driver in Theni along with the attendance and salary benefits based upon the representation dated 03.11.2025 submitted by the petitioner.

For Petitioner : Mr.S.Neduchezhiyan

For Respondents : Mr.M.Bindran, AGP for R.1.



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: Mr.M.R.Gokulkrishnan for R.2 to R.4.

ORDER

This Writ Petition has been filed challenging the order of transfer passed by the 4th respondent dated 29.10.2025.

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

3. The petitioner has been working as an Ambulance Driver in the Free Hearse Services (FHS) and Drop Back Services (JSSK) of the Indian Red Cross Society since 12.12.2012. With effect from 24.12.2021, the FHS and JSSK services were transferred from the Indian Red Cross Society to the 3rd respondent for an initial period of two years through G.O.Ms.No.581 dated 24.12.2021. Subsequently, the service was further extended for another five

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years from 02.02.2022 by G.O.Ms.No.119 dated 04.04.2022.

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4. As the 3rd respondent had been frequently changing its policies regarding the salary and other retirement benefits of the employees without giving prior intimation either to the employees or to the 1st respondent, the petitioner, who is the General Secretary of the Tamil Nadu Free Hearse Services and JSSK Workers Union, submitted a representation to the 1st respondent stating that the Union would be compelled to conduct a protest if any further changes were made to the policy relating to the opening of new Gratuity and EPF accounts for the workers of FHS and JSSK.

5. While being so, on 09.09.2025, the petitioner received a charge memo alleging that he had functioned against the rules of company in violation of Rule 9, spread gossip in violation of Rule 12 and issued an anonymous letter against the management in violation of Rule 37. Thereafter, on 16.09.2025, the 4th respondent issued transfer proceedings transferring the petitioner from



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Theni to Kanyakumari. Aggrieved by the said transfer proceedings, the petitioner submitted a representation to the 4th respondent citing his family circumstances. Based on the said representation, the 4th respondent permitted the petitioner to continue working at Theni. However, the transfer proceedings have not been revoked. Thereafter, on 29.10.2025, the 4th respondent issued the impugned transfer order thereby transferred the petitioner from Theni to Krishnagiri.

6. Mr.M.R.Gokulkrishnan learned counsel appearing for respondents 2 to 4, on instructions, submitted that the petitioner has now been transferred to Krishnagiri based on the needs of the company and that there is absolutely no malafide or punitive intention behind the said transfer.

7. In view of the fact that the petitioner's transfer from Theni to Krishnagiri was effected on account of administrative requirements of the company, and there being no material to establish any malafide or punitive intention behind the said transfer, this Court finds no infirmity or illegality in



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the order of transfer passed by the 4th respondent dated 29.10.2025.

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Accordingly, the Writ Petition stands dismissed. However, if any representation made by the petitioner to reconsider his transfer, the same may be considered on merits and in accordance with law. No costs. Consequently the connected Miscellaneous Petition is closed.

12.11.2025

shr

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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