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W.A.No.3881 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE SHAMIM AHMED

W.A.No.3881 of 2025

Dr. P.Kanagaraju .. Appellant

Vs.

1. State of Tamil Nadu
Rep. By the Secretary to Government
Animal Husbandry Dairying, Fisheries and Fishermen
Welfare Department, Secretariat, Fort St. George
Chennai – 600 009.
2. The Director
Directorate of Animal Husbandry and Veterinary Services
Integrated Animal Husbandry and Fisheries Department
Office Complex, Veterinary Hospital Compound
Nandanam, Chennai – 600 035. .. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent, against the order made in W.P.No.40611 of 2025 dated 28.10.2025.

For the Appellant : Mr.L.Chandrakumar
for Mr.D.Senthilkumar

For the Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by R.SURESH KUMAR, J.)

This intra-Court appeal has been directed against the order dated 28.10.2025 made in W.P.No.40611 of 2025.



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2. The appellant was the writ petitioner, who was initially appointed as a Veterinary Assistant Surgeon on temporary basis under Rule 10(a)(i) of the Tamil Nadu State and Subordinate Service Rules in the year 2019, thereafter, he was selected on regular basis by the selection conducted by the Tamil Nadu Public Service Commission and was appointed as a Veterinary Assistant Surgeon at Vengadathanur, Musiri Division, Trichy District, where he has been working.

3. While that being so, the impugned transfer order dated 17.10.2025 has been issued, under which, he has been transferred to the Veterinary Dispensary at Neermulai, Nagapattinam District as Veterinary Assistant Surgeon. Since it is a mid-year transfer and he has a child studying 5th Standard in a School in the local place, that is Trichy District and his wife is also working in the same Department in that District, as the mid-year transfer will affect the family, he has challenged the said transfer, as the same has not been issued on administrative exigency as claimed by the respondents, is the case projected by the appellant/writ petitioner before the Writ court.



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4. The said case was rejected by the Writ court by stating that, from the year 2019 onwards, since the appellant/writ petitioner has been working in the same Station or same District, since it is a routine administrative transfer, where 49 people have been transferred including the appellant/writ petitioner, he has no other option than joining the transferred place and that is the reason why, the writ petition was dismissed through the impugned order.

5. Heard *Mr.E.Veda Bagath Singh*, learned Special Government Pleader appearing for the respondents.

6. It is a well settled proposition that, transfer is one of the service conditions and no one could take any exception with regard to the transfer or stop the transfer being made on regular basis. Even in the case in hand, only after some years of service in the Station from where he has been transferred since the transfer is effected, it cannot be stated that in violation of G.O.Ms.No.10, whereby, some guidelines have been given by the Government while making transfers, the present transfer has been ordered. But, at the same time, it is a matter to be looked into, where, the ten year old child of the appellant/writ petitioner is studding in 5th



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Standard in a local School and during the mid-year, if the family is to be shifted from Trichy to Nagapattinam, which is more than 100 kms, certainly, some prejudice would be caused for the family.

7. Therefore, in order to meet out this exigency from the side of the appellant/writ petitioner, which may be accepted as one of the grounds to challenge this transfer order, at least, for the time being, that is till the end of the Academic Year. The Academic Year 2025-26 would come to an end by April, 2026, therefore, during May, 2026, the School would be in summer holidays, the appellant/writ petitioner shall make arrangements to shift his position to the transferred place and join duty in the transferred place, at least from 01.06.2026.

8. In that view of the matter, this Court is inclined to pass the following orders in this writ appeal:

(i) That the impugned order passed by the Writ Court is set aside, as a result of which, the order impugned before the Writ Court insofar as the appellant/writ petitioner is concerned, shall be kept in abeyance till 31.05.2026 on condition that on 01.06.2026, the appellant/writ petitioner shall join duty in the transferred place at Nagapattinam.



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(ii) Only on that condition, the order impugned before the Writ Court, that is the transfer order effecting such transfer against the appellant/writ petitioner is directed to be kept in abeyance. No further extension, in any circumstances, beyond 31.05.2026 shall be entertained.

9. With these observations and directions, the writ appeal is disposed of accordingly. There shall be no order as to costs. Consequently, C.M.P.No.31679 of 2025 is closed.

(R.S.K., J.) (S.S.A., J.)
18.12.2025

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No
(drm)

To:

1. The Secretary to Government
State of Tamil Nadu
Animal Husbandry Dairying, Fisheries and Fishermen
Welfare Department, Secretariat, Fort St. George
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R. SURESH KUMAR, J.
AND
SHAMIM AHMED, J.

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