



W.A(MD)No.525 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.A(MD)No.525 of 2025
and
C.M.P(MD)No.4048 of 2025**

Periyakaruppan

... Appellant/Writ Petitioner

vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Limited,
Coimbatore Division, Coimbatore.
 - 2.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Division,
Madurai.
 - 3.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Dindigul Region,
Dindigul.
 - 4.The Branch Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Theni Branch,
Theni.
- ... Respondents/Respondents



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PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 06.11.2024 made in W.P(MD)No.23127 of 2022 on the file of this Court.

For Appellant : Mr.J.Lawrance

For R – 1 : Mr.S.C.Herold Singh
Standing Counsel

For RR 2 to 4 : Mr.K.Ramaiah
Standing Counsel

JUDGMENT

(Judgment of the Court was delivered by J.NISHA BANU, J.)

The present Writ Appeal is filed against the order passed by the Writ Court dated 06.11.2024 made in W.P(MD)No.23127 of 2022.

2.Challenging the impugned order passed by the second respondent/Madurai Division, dated 25.08.2022, the impugned order passed by the third respondent/Dindigul Region, dated 27.08.2022 and the consequential relieving impugned order passed by the fourth respondent, dated 27.08.2022, wherein the second respondent directed the writ petitioner to report before the



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first respondent/Coimbatore Division, the writ petitioner has filed the Writ Petition.

3.The Writ Court, after considering all the materials available on record, dismissed the Writ Petition, wherein it is observed as follows:

“The writ petitioner has been deputed from Coimbatore Division to Madurai Division, specifically for a period of one year by way of an order dated 22.10.2009. After the expiry of more than 13 years, several requests were made by the parent Department to repatriate the writ petitioner back to the Coimbatore Division. Therefore, the order passed by the second respondent cannot be found fault with. The writ petitioner cannot continue on deputation basis for over a period of one year in the Madurai Division. In case, if the writ petitioner wishes to get transferred permanently to the Madurai Division, it is for the writ petitioner to approach the appropriate authority for getting such relief.”

Challenging the same, the writ petitioner as appellant has preferred the present Writ Appeal.



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4.The learned counsel appearing for the appellant/writ petitioner would submit that the writ petitioner had made a request to the Government for permanently transferring him from the first respondent to the second respondent office. However, only an order of deputation was passed in the year 2009. The writ petitioner has been working in the second respondent Transport Corporation for more than 15 years and he had been promoted to various levels in the second respondent Division. In such circumstances, repatriation back to the parent Division, namely, the first respondent, would cause great prejudice to him. That apart, if he is transferred from Madurai Division to Coimbatore Division, it would cause great prejudice to his family. He further submitted that the writ petitioner has given a representation dated 18.01.2025 to the Additional Chief Secretary, Transport Department, Chennai, to retain him in Madurai Division.

5.Heard Mr.J.Lawrance, learned counsel appearing for the writ petitioner, Mr.S.C.Herold Singh, learned standing counsel appearing for the first respondent and Mr.K.Ramaiah, learned standing counsel appearing for the respondents 2 to 4.



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6.On perusal of the materials available on record, it is seen that by proceedings dated 22.10.2009, issued by the first respondent, the writ petitioner was deputed from Coimbatore Division to Madurai Division for one year. However, the writ petitioner managed to work in the deputed Division for more than 15 years. Based on the request made by the first respondent to repatriate the writ petitioner back to the Coimbatore Region, the second respondent has relieved the writ petitioner vide impugned order dated 25.08.2022 and directed the writ petitioner to report before the first respondent. It is the specific contention of the learned counsel appearing for the writ petitioner that though recommendations have been made to the transfer of the writ petitioner permanently, in the impugned order dated 22.10.2009, it has been stated that the writ petitioner was transferred only on a deputation basis. Accordingly, the writ petitioner was deputed and the writ petitioner had been with his family for a period of 15 years in the second respondent's Division.

7.Considering the facts and circumstances of the case, since the writ petitioner has given a representation dated 18.01.2025 before the appropriate



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authority ie., the Additional Chief Secretary, Transport Department, Chennai, stating that his family is residing at Madurai and to retain him in Madurai, the Additional Chief Secretary, Transport Department, Chennai shall pass appropriate orders on the representation of the writ petitioner, dated 08.01.2025, within a period of four weeks from the date of receipt of a copy of this order. Till then, the writ petitioner will not be disturbed.

8. With the above observation, this Writ Appeal is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[J.N.B.,J.] & [S.S.Y.,J.]
19.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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ORDER MADE IN
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DATED : 19.03.2025