



W.P.(MD) No.4658 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.4658 of 2025

and

W.M.P.(MD)Nos.3351 & 3353 of 2025

S.Vanitha

... Petitioner

Vs.

The Principal Secretary / Transport Commissioner,
Commissionerate of Transport and Road Safety,
Anna Salai,
Guindy,
Chennai – 600 032.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pursuant to the impugned transfer order passed by the respondent in his proceedings in Proc.No.11361/RA2/2016 (E.O.No.93/2025) dated 17.02.2025 insofar as the petitioner is concerned in Sl.No.10, transferring her to RTO, Chennai (North) is



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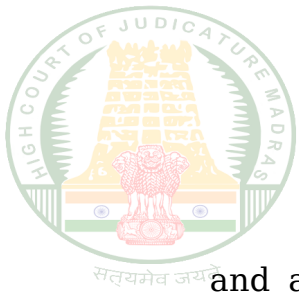
alone and quash the same and consequently directing the respondent to allot the post of Superintendent in any of the vacant place at Tirunelveli or Tenkasi District or Thoothukudi District or Kanyakumari District.

For Petitioner : Mr.G.Thalaimutharasu
for Mr.D.Selvanayagam
For Respondent : Mr.P.Subbaraj
Special Government Pleader

ORDER

Heard the learned Counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

2. Learned Counsel for the petitioner would submit that the petitioner is working as Assistant in Transport Department at Puliyarai Check Post, Tenkasi District. The respondent issued proceedings dated 17.02.2025, promoting the petitioner to the post of Superintendent and she was posted in the office of RTO, Chennai Central. The learned Counsel contends that the petitioner is suffering with locomotory disability to the extent of 50% disability



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and as such, the transfer of the petitioner from Puliyarai check post, Tenkasi District to Chennai Central is against the instructions issued by the State Government in letter No.15210/94-1 (Per-S) dated 29.06.1994.

3. The learned for the petitioner has drawn the attention of this Court to the letter dated 29.06.1994 of the Government of Tamil Nadu, wherein certain instructions were issued to be followed while effecting the transfer of physically handicapped employees.

4. Admittedly, the petitioner is suffering with locomotory disability of 50% disability. As such, the respondent ought to have considered the petitioner's request to post her in any suitable post which is not far away from the present station. Learned Counsel for the petitioner further submits that a post of Superintendent is vacant yet in Alangulam Unit Office, Tenkasi District. If the petitioner is posted there, the interest of the petitioner will be protected.



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5. The learned Special Government Pleader appearing for the respondents, on instructions would submit that the transfer and posting order dated 17.02.2025 is issued without taking into consideration of the disability aspect of the petitioner and subsequently, when the petitioner brought to the notice of this Court about the disability of the petitioner, they are taking steps to accommodate the petitioner in any nearby place.

6. Considering the submissions of the respective Counsels, it is an admitted fact that the order dated 17.02.2025 issued by the respondent posting the petitioner at Chennai Central on promotion as Superintendent from Puliyarai Check Post, Tenkasi District is against the instructions issued by the Government in letter dated 29.06.1994. As such, it is liable to be quashed.

7. For the reasons stated above, the order impugned in this Writ Petition is quashed to the extent of posting the petitioner as Superintendent in the office of the RTO, Chennai Central. The respondent is directed to issue fresh order, posting the petitioner at Alangulam Unit Office, Tenkasi District, forthwith.



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8. Accordingly, this Writ Petition stands allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.02.2025

NCC : Yes/No
Index: Yes/No
Internet : Yes
MR

To
The Principal Secretary / Transport Commissioner,
Commissionerate of Transport and Road Safety,
Anna Salai, Guindy,
Chennai – 600 032.



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BATTU DEVANAND, J.

MR

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