



W.A(MD) No.1789 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD) No.1789 of 2025
and
C.M.P.(MD)No.10117 of 2025**

1.The Additional Chief Secretary /
Commissioner of Revenue
Administration,
Revenue Administration &
Disaster Management Department,
Chepuak,
Chennai-600 005.

2.The District Collector,
Tirunelveli District.

... Appellants / Respondents

Vs.

T.Viji

... Respondent / Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to allow the writ appeal and to set aside the order dated 03.01.2025 passed by the learned single Judge in W.P.(MD)No.26398 of 2024.

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For Appellants : Mr.N.Ramesh Arumugam
Government Advocate

For Respondent : Mr.T.Lajapathi Roy
Senior Counsel
for M/s.Roy and Roy Associates

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The writ petitioner was holding in the rank of Deputy Tahsildar, Tirunelveli District. Vide proceedings dated 21.10.2024, the Commissioner of Revenue Administration transferred her to Virudhunagar District. Challenging the same, W.P.(MD)No.26398 of 2024 was filed. The learned single Judge vide order dated 03.01.2025 allowed the writ petition in the following terms:-

“The instant Writ Petition has been filed by the Deputy Tahsildar challenging the order of transfer from Tirunelveli District to Virudhunagar District.

2. The primary contention of the learned counsel for the Petitioner is that the seniority in the cadre of the Deputy Tahsildar is being maintained at the District level. Therefore, the present order of



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transfer cannot be construed to be on administrative reasons. The order of transfer will certainly affect the Petitioner's seniority when she is transferred to another district.

3. Further it is brought to the notice of the Court that the District Collector, Virudhunagar has addressed a communication on 29.10.2024 to the 1st Respondent to the effect that, as of today, there are no vacancies in the cadre of Deputy Tahsildar in Virudhunagar District.

4. Considering the fact that the transfer from Tirunelveli District to Virudhunagar District would affect her seniority and there are no vacancies in the cadre of Deputy Tahsildar in Virudhunagar District, this Court is inclined to interfere with the order of transfer. Therefore, the impugned order of transfer dated 21.10.2024 is set aside. Accordingly, the Writ Petition is allowed.”

Assailing the said order, this writ appeal has been filed.

3. Rule 10 of Tamil Nadu Revenue Subordinate Service permits transfer from one District to another District. If it is made on request basis, the transferee will rank last in the existing list of Deputy Tahsildar in the District to which he or she is transferred. If the transfer is made by the authority, then seniority of the employee must be protected.

4. In the case on hand, the learned Government Advocate appearing for the appellants states that there is no vacancy in the post of Deputy Tahsildar in Virudhunagar District.



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5. If the appellants can fulfil the following conditions:-

A. Protection of the writ petitioner's seniority

B. Posting her in an equivalent Post

then, transfer can be made. As on date, these conditions cannot be fulfilled.

5. We confirm the order of the learned single Judge. Subject to the observation and liberty in favour of the appellants, the Writ Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)
05.08.2025

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