



W.P.(MD) No.18090 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD) No.18090 of 2025

O.Homer Lal

... Petitioner

-VS-

1.The Chief Secretary
to the Government
Secretariat, Chennai-09

2.The Home Secretary
to the Government
Home Department
Secretariat, Chennai-09

3.The Director General of Police
(Law & Order)
Director General of Police Office
Mylapore, Chennai-04

4.The Inspector General of Police
South Zone
Madurai District

5.The Superintendent of Police
Kaniyakumari District
Nagarcoil

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to implement the G.O.S.S.No.2/78-4/2000 Public (Secret) Department, dated 07.03.2000, by considering the petitioner's representation dated 14.02.2025.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2
Mr.T.Senthil Kumar
Additional Public Prosecutor for R3 to R5

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The writ on hand has been instituted seeking a direction to the respondents 1 to 5 to implement G.O.S.S.No.2/78-4/2000, Public (Secret) Department, dated 07.03.2000, by considering the petitioner's representation dated 14.02.2025.

2. Today, when the matter is taken up for consideration, it is brought to the notice of this Court that by an order dated 29.07.2025, in W.P. (MD) No.18169 of 2020, this Court dealt with an identical issue and dismissed



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the writ petition and to that effect, a copy of the said order has been placed before this Court.

3. This Court perused the order dated 29.07.2025 in W.P.(MD) No. 18169 of 2020 and finds that the very same issue has already been dealt with by this Court and the said writ petition has been dismissed. For easy reference, the said order is extracted hereunder:

The writ on hand has been instituted to direct the respondents to take appropriate steps to implement the Government Order S.S.No. 2/78-4/2000, dated 07.03.2000.

2. The grievance of the petitioner is that Police Personnel working in the rank of Constables and Head Constables are allowed to serve in their native place at Kanyakumari District. Further, allowing the Police Personnel to continue in their native place is causing prejudice to public interest. He would also submit that the guidelines issued in G.O.Ms.No.1446, Home (SC) Department, dated 18.08.1992 for transfer and posting a Police Personnel have not been followed.



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3. *In reply, the learned Additional Public Prosecutor would submit that the policy would be applicable only to the Police officials working in the rank of Inspector of Police and above. As far as subordinate police authorities are concerned, they are transferred within their District and in certain cases, on account of administrative reasons, they are transferred to other Districts.*

4. *Transfer and posting are administrative prerogative of the Police Department and this Court, in exercise of power of judicial review under Article 226 of the Constitution of India, cannot run the administration, nor issue any direction to transfer the employees.*

5. *For the above reason, this Writ Petition is not maintainable and the same stands dismissed. However, there shall be no order as to costs.*

4. In view of the above order, this writ petition also stands dismissed. No costs.

[S.M.S., J.] [A.D.M.C., J.]
07.08.2025

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

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