



WP(MD). No.18488 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01.12.2025

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.18488 of 2023
and
WMP(MD)No.15325 of 2023

C.Viyagappandian

... Petitioner

versus

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
23/2, Thoothukudi Road,
V.M.Chathiram,
Kattabomman Nagar,
Tirunelveli District.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Vannarapet,
Tirunelveli District.
3. The Assistant Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Tirunelveli Division,
Tirunelveli District.

... Respondents



WP(MD). No.18488 of 2023

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent dated 11.07.2023 made in No.10360/NiYa5/TNSTC/Tvl/2022 and quash the same as arbitrary, illegal and consequently, direct the respondents to permit the petitioner to work in Sankarankovil Depot in Route No.363E.

For Petitioner : Mr.N.Shanmuga Selvam

For Respondents : Mr.K.Ramaiah,
Standing Counsel

ORDER

The petitioner, a driver of the respondent Transport Corporation, has been transferred, by order dated 11.07.2023, on administrative ground. The same is challenged in this writ petition.

2. The learned counsel for the petitioner submits that the order of transfer is in the form of punitive in nature, since the petitioner has questioned the manner in which the bus has been maintained. For having questioned about the maintenance of the bus, the petitioner was issued with a charge memo dated 04.07.2023 that he has misbehaved with the



WP(MD). No.18488 of 2023

Branch Manager on 19.06.2023. Therefore, according to the learned counsel, the petitioner has been transferred on punitive ground and not on administrative ground.

3. The learned Standing Counsel appearing for the respondent submits that it is purely on administrative ground and not on punitive ground.

4. This Court considered the rival submissions made.

5. The petitioner is working as a Driver at Sankarankovil Branch. By the order impugned in this writ petition, he was transferred from Sankarankovil Division to Valliyoor Branch. The impugned transfer order reveals that it is only on administrative ground. However, the fact remains that the petitioner has raised certain issues with regard to the quality of the brake of the bus, which has been entrusted with him and therefore, he was provided with another bus, whose condition also worsened more than the bus already entrusted with him. Therefore, there was a wordy quarrel between the petitioner and Branch Manager. Hence,



WP(MD). No.18488 of 2023

the petitioner was issued with the charge memo dated 19.06.2023.

WEB COPY

6. Considering the fact that the order of transfer was issued on 11.07.2023 subsequent to the charge memo dated 04.07.2023, this Court is of the view that the order of transfer has been issued in the form of punitive in nature. Therefore, this Court is inclined to set aside the order of transfer.

7. Accordingly, this writ petition is allowed and the impugned order of the 3rd respondent dated 11.07.2023 is hereby set aside. No costs. Consequently, connected miscellaneous petition is closed.

01.12.2025

ogy

Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.



WP(MD). No.18488 of 2023

To
WEB COPY

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
23/2, Thoothukudi Road,
V.M.Chathiram,
Kattabomman Nagar,
Tirunelveli District.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Vannarapet,
Tirunelveli District.
3. The Assistant Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Tirunelveli Division,
Tirunelveli District.



WEB COPY



WP(MD). No.18488 of 2023

B.PUGALENDHI, J.

ogy

WP(MD) No.18488 of 2023

01.12.2025