



W.P(MD)No.22415 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.22415 of 2025

and

W.M.P(MD)No.17500 &17501 of 2025

N.Venkateswaran

... Petitioner

Vs.

1. The Director General of Prisons and Correctional Services,
Whannels Road,
Egmore,
Chennai 600 008.
2. The Superintendent of Prison,
Central Prison,
Trichy.
3. The Superintendent,
District Jail,
Aathur,
Salem District.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the entire records connected with the order in CP-TRY/1269/2025-

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WEB COPY G1(ASST) dated 22.07.2025 passed by the second respondent and quash the same consequently, directing the respondents to permit the petitioner to continue his service at the second respondent prison or any other prison or Jail in Trichy District.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.K.Balasubramanian
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Certiorarified Mandamus, calling for the entire records connected with the order in CP-TRY/1269/2025-G1(ASST) dated 22.07.2025 passed by the second respondent and quash the same consequently, directing the respondents to permit the petitioner to continue his service at the second respondent prison or any other prison or Jail in Trichy District.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3. The learned counsel for the petitioner submitted that the petitioner's wife is working in Trichy District in police department and they have 1 ½ years old child, the petitioner was transferred from Trichy Prison to Athur District Jail vide impugned order dated 22.07.2025. Already due to his family situation, the petitioner requested the respondents to transfer him to any jail or prison within the district of Trichy. Now the impugned order has been passed transferring him to Athur District Jail. Hence, he made a representation on 18.06.2025 to the respondents 1 & 2. However, since no action was taken on the said representation, the petitioner has now approached this Court by filing the present Writ Petition.

4. The learned Special Government Pleader on the other hand contended that transfer is an incidence of service and the petitioner has no vested right to remain in Trichy. When the transfer order was passed on administrative grounds, and no malafides or statutory violation is shown, the writ petition is not maintainable and the same is liable to be dismissed.



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5. This Court has carefully considered the rival submissions made on either side and perused the materials available on record.

6. It is the settled law that transfer is an incidence of service, and an employee has no right to claim posting at a place of his choice. Unless shown to be vitiated by malafide or statutory violation, such administrative decisions are not ordinarily interfered with under Article 226 of the Constitution. In the present case, the petitioner's grievance, though based on personal hardship, does not invalidate the transfer order. Nevertheless, he is at liberty to make a fresh representation, which the competent authority shall consider in accordance with law and administrative exigencies.

7. Accordingly, the Writ Petition stands dismissed with liberty to the petitioner to work out his remedy in the manner known law. No Costs. Consequently, connected miscellaneous petitions are closed.

18.08.2025

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

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M.DHANDAPANI,J.

PJL

**ORDER MADE IN
W.P(MD)No.22415 of 2025**

DATED : 18.08.2025