



WP(MD). No.24443 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12/09/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.24443 of 2025

and

WMP(MD)No.19187 of 2025

Ashok Kumar

... Petitioner

Vs

1. The Director of Social Welfare,
Department of Social Welfare,
Chennai- 5.

2. The District Programme Officer
Integrated Child Development Project Scheme Service,
Madurai District.

3. The District Programme Officer,
Integrated Child Development Project Scheme Service,
Erode District.

4. Ravichandran,
Superintendent, Child Development Project Office,
Gopichettipalayam Block,
Erode District.

... Respondents



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PRAYER :-

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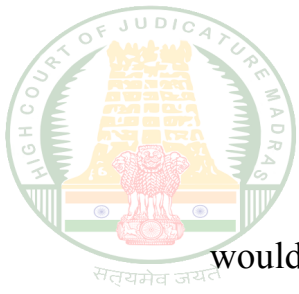
Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned order of transfer issued by the 1st respondent to the petitioner concern in Serial No.4 in Se.Mu.Na.Ka.No. 1227549/Niru2(3)2025 dated 01.09.2025 quash the same.

For Petitioner : Mr. R.Jenifar Bibin,
Advocate.
For Respondent : Mr.M.Siddharthan - for R1 to R3
Additional Government Pleader

ORDER

This Writ Petition is filed challenging the impugned order of transfer issued by the 1st respondent to the petitioner concern in Serial No.4 in Se.Mu.Na.Ka.No. 1227549/Niru2(3)2025 dated 01.09.2025 quash the same.

2. Learned counsel for the petitioner would submit that he was promoted and transferred to the post of Superintendent in the month of August - 2020 and was again transferred and posted at Usilampatti Block, Madurai on 04.08.2022 where he joined duty on 02.09.2022. He



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would submit that by the proceedings dated 01.09.2025, he was transferred from Usilampatti to Gobichettipalayam in Erode District on administrative reasons. He would submit that the transfer had been made with an malafide intention and without application of mind and he has also been taking treatment for Tuberculosis. He had also submitted an application for transfer along with one Xavier who had been working at Chellampatti Circle, Madurai District. The transfer has been made without considering the claim made by the petitioner and the said Xavier. According to him, the Xavier is an physically handicapped person and he is a native of Madurai District. He would further submit that there are 19 posts of Superintendent available within the Madurai District. He would submit that the place of transfer is nearly 300 Kms away and it will be difficult for him to take care of his mother who is aged about 82 years and bedridden. Therefore, he seeks interference of the order of transfer.

3. Countering his argument, Mr.Siddharthan, learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that transfer has been made on administrative reasons, on exigency of service. He would further submit that transfer is an incident of service



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and because of defiance of the order of transfer, several welfare measures are being affected. He would further submit that the said Xavier who had given consent for mutual transfer with the petitioner, has been transferred to Ariyalur and he had also joined in the said transferred post. The fourth respondent who had been transferred in the place of the petitioner had also joined in the place. He further submit that the claim made by the petitioner that there are 19 posts of Superintendent available, are all filled up and there are no vacancy to even consider the claim of the petitioner to retain him in Madurai District. Therefore, he prays this Court to dismiss this writ petition.

4. I have considered the submissions made by the learned counsel on either side. Transfer is an incidence of service and when the same has been made on administrative reasons, it is the duty of the employee to comply with the order of transfer. The petitioner admittedly had been working at Usilampatti from the year 2022. Therefore, he had also completed three years of service at Usilampatti and he is liable to be transferred as per the administrative exigency. There can be no malafides attributed to such transfers. Further, the petitioner, even



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though had averred malafides, he had not given incidents of malafide both factual and legal. The claim of the petitioner as regards to another employee by name Xavier cannot also be considered as the said person had been transferred to Ariyalur had also joined the said post. The petitioner cannot also be said to be prejudiced in the transfer of the said Xavier. For the aforesaid reasons, I do not find any merit in this Writ Petition.

5. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

12.09.2025

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

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K.KUMARESH BABU, J.



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To

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IN

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