



W.A(MD)No.130 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.A(MD)No.130 of 2025
and
C.M.P(MD)No.820 of 2025**

A.Raguram

... Appellant/Petitioner

vs.

**1.The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli.**

**2.The Branch Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Region,
Valliyoor Branch, Valliyoor,
Tirunelveli District.**

**3.The Branch Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Limited
Thoothukudi Region,,
Thoothukudi Moffusil Branch,
Thoothukudi.**

... Respondents/Respondents



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PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 10.10.2023 made in W.P(MD)No.24146 of 2023 on the file of this Court.

For Appellant : Mr.R.Anand

For Respondents : Mr.K.Ramaiah

JUDGMENT

(Judgment of the Court was delivered by J. NISHA BANU, J.)

The present Writ Appeal is directed against the order passed by the Writ Court dated 10.10.2023 made in W.P(MD)No.24146 of 2023.

2.The appellant/writ petitioner has filed the Writ Petition challenging the order of transfer passed by the first respondent dated 23.09.2023 from Valliyoor Branch to Thoothukudi Moffusil Branch.

3.The Writ Court, after considering all the materials available on record, dismissed the Writ Petition. Challenging the same, the writ petitioner as appellant has preferred the present Writ Appeal.



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4.The learned counsel appearing for the appellant stated that the appellant joined the services of the respondent Corporation as a Driver with effect from 01.09.2016 and he was the Secretary of JDLF Trade Union. Aggrieved over the in-action on the part of the first respondent in following the agreement as well as the rules in the matter of allocating duties as well as in granting causal leave to their matters, after obtaining prior permission, the Union staged a Dharna and in the meeting, the appellant propagated a serious allegation against the first respondent. In view of the above, the first respondent transferred the appellant from Valliyoor Branch to Thoothukudi Moffusil Branch. The said order of transfer is based on a *mala fide* intention. The learned counsel would further submit that even though there are so many juniors in the cadre of drivers working under the first respondent, the appellant alone has been transferred and prayed for allowing the Writ Appeal.

5.Heard Mr.R.Anand, learned counsel appearing for the appellant and Mr.K.Ramaiah, learned counsel appearing for the respondents and perused the materials available on record.



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6.Perusal of the materials available on record would reveal that the order of transfer is purely on administrative grounds and further, the respondents also have contended that the transfer of the appellant is only based on administrative reasons and there are no allegations as against the appellant. Time and again, Courts have held that transfer is not only an incident of service, but also a condition of service and the transfer order passed purely on administrative grounds must not ordinarily be interfered with by the Courts and the Courts should maintain judicial restraint. It is also well settled that transfer order cannot be interfered with unless it is contrary to statute or malafide is alleged and proved or the authority who issued the same has no jurisdiction. In this case, none of the grounds are made out. Therefore, we do not see any reason to interfere with the order passed by the learned Single Judge. Hence, the Writ Appeal fails and the same is liable to be dismissed.



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7. Accordingly, this Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

[J.N.B.,J.] & [S.S.Y.,J.]
05.03.2025

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

To

1. The Managing Director,
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Valliyoor Branch, Valliyoor,
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3. The Branch Manager,
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Thoothukudi Region,,
Thoothukudi Moffusil Branch,
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ORDER MADE IN
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