



W.P.(MD).Nos.34499 to 34502 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **28.11.2025**

CORAM :

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

W.P.(MD).Nos.34499, 34500, 34501 & 34502 of 2025

and

W.M.P.(MD).Nos.27283, 27284, 27286, 27288, 27285, 27287,
27301 & 27302 of 2025

WP(MD).No.34499 of 2025

K.Muthumariappan

... Petitioner

VS

1. The Inspector General of Police
South Zone
Madurai.

2. The Deputy Inspector General of Police
Madurai Range
Madurai.

3. The Superintendent of Police
Virudhunagar District
Virudhunagar.

4. The Superintendent of Police
Thoothukudi District
Thoothukudi.

... Respondents

Prayer in WP(MD).No.34499/2025: Writ Petition filed under Article 226
of the Constitution of India, praying this Court to issue a Writ of Certiorari,



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to call for the records on the file of the 3rd respondent in connection with the impugned order of transfer passed vide his proceedings in C. No. A1(2)/45103/239/2025 dated 17.10.2025 (placed at S. No.3) and subsequent posting order issued by the 4th respondent vide his proceedings in C. No.A2/41662/2025 dated 13.11.2025 and quash the both as illegal and punitive in nature and pass such further or other orders.

WP(MD).No.34500 of 2025

V.Palaniappan

... Petitioner

VS

1. The Inspector General of Police
South Zone
Madurai.

2. The Deputy Inspector General of Police
Madurai Range
Madurai.

3. The Superintendent of Police
Virudhunagar District
Virudhunagar.

4. The Superintendent of Police
Tirunelveli District
Tirunelveli

.. Respondents

Prayer in WP(MD).No.34500/2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records on the file of the 3rd respondent in connection with the impugned order of transfer passed vide his proceedings in C. No. A1(2)/45103/239/2025 dated 17.10.2025 (placed at S. No.4) and subsequent



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posting order issued by the 4th respondent vide his proceedings in C. No.A2/778/0152032/2025 dated 31.10.2025 and quash the both as illegal and punitive in nature and pass such further or other orders.

WP(MD).No.34501 of 2025

Ayothi Ramachandran

... Petitioner

vs

1. The Inspector General of Police
South Zone
Madurai.

2. The Deputy Inspector General of Police
Madurai Range
Madurai.

3. The Superintendent of Police
Virudhunagar District
Virudhunagar.

... Respondents

Prayer in WP(MD).No.34501/2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records on the file of the 3rd respondent in connection with the impugned order of transfer and posting of police personnel passed vide his proceedings in C. No. A1(2)/45103/239/2025 dated 17.10.2025 and quash so far the petitioners transfer placed at S.No.6 is concerned as illegal, and punitive in nature and pass such further or other orders.



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WP(MD).No.34502 of 2025

WEB COURT

K.Sakthivel

... Petitioner

VS

1. The Inspector General of Police
South Zone
Madurai.

2. The Deputy Inspector General of Police
Madurai Range
Madurai.

3. The Superintendent of Police
Virudhunagar District
Virudhunagar.

4. The Superintendent of Police
Tirunelveli District
Tirunelveli

... Respondents

Prayer in WP(MD).No.34502/2025 : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records on the file of the 3rd respondent in connection with the impugned order of transfer passed vide his proceedings in C. No. A1(2)/45103/239/2025 dated 17.10.2025 (placed at S. No.7) and subsequent posting order issued by the 4th respondent vide his proceedings in C. No.A2/778/015203/-2/2025 dated 31.10.2025 and quash the both as illegal and punitive in nature and pass such further or other orders.



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(For all the WPs')

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.M.Siddharthan

Addl. Government Pleader

COMMON ORDER

These writ petitions are filed seeking to quash the impugned order passed by the 3rd respondent dated 17.10.2025.

2. Heard, Mr.G.Thalaimutharasu, learned Senior Counsel appearing for the petitioners and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

3. Mr.G.Thalaimutharasu, learned counsel for the petitioners would submit that the petitioners are presently working as Head Constable and Gr.I.Police Constable at various stations at Srivilliputhur, Sivakasi and Sattur, Virudhunagar District. While that being so, the third respondent herein by his proceedings dated 17.10.2025, transferred a list of eight members of Head Constable working in Virudhunagar District to Tirunelveli and Thoothukudi Districts and their names also finds place in the said transfer list.



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4. On 19.10.2025, from a Tamil News Daily, it had come to their knowledge that transfer has been effected based upon a complaint that the petitioners are running cracker shops on the eve of Diwali festival and had not focused on the official duty during the festival season. The learned counsel for the petitioners would submit that they had no connection with the cracker shops and it is only the wife of S.Murugesan, petitioner in writ petition W.P.(MD).No.30929 of 2025 who had worked in a cracker shop to make meager income to support the family in celebrating Diwali.

5. It is the case of the petitioners that, Mr.K.Thangamuthu's (petitioner in WP(MD).No.30930 of 2025) father-in-law who ran the cracker shop by obtaining proper license from the appropriate authorities. The entire allegations against the petitioners were false and that the impugned orders have been passed. He would further contend that the impugned order is punitive in nature without even conducting an enquiry on the allegations made against the petitioners. Therefore, he seeks indulgence to the order of transfer impugned in these Writ Petitions.



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6. Countering his arguments, Mr.M.Siddharathan, learned Additional Government Pleader appearing on behalf of the respondents would submit that it had come to the knowledge of the respondents that the petitioners have involved themselves in selling crackers during the festival season without attending their duty in conjunction with various other Head Constables. Hence, to avoid the petitioners from being involved in such incidents, the orders of transfer have been made. He would further submit that the said conduct of the petitioners also offend the Tamil Nadu Discipline and Appeal Rules and therefore, he would submit that there is no infirmity in the impugned order passed against the petitioners.

7. I have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record.

8. The petitioners have been transferred on the allegation that they have been involved in running a cracker shop without attending their duty during festival season. Transfers made on such allegations that too made without conducting any enquiry would only turn such transfers as punitive



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transfers. When allegations have been received by the respondents, it is for them to initiate appropriate disciplinary proceedings against the delinquents and thereafter, take necessary action against such delinquents. Therefore, the order of transfer passed without conducting any enquiry against the petitioners violates the principles of natural justice and such transfers cannot be termed as the transfer made on administrative grounds.

9. For the aforesaid reasons, these Writ Petitions stand allowed and the impugned order of transfer passed against the petitioners is set aside, however, the respondents are at liberty to initiate appropriate disciplinary proceedings in that regard. If such disciplinary proceedings are initiated, the petitioners are directed to co-operate with the Disciplinary Authority and such disciplinary proceedings have to be concluded within a period of twelve (12) weeks from the date of issue of charge memos against the petitioners. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

28.11.2025

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
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K.KUMARESH BABU.J.

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