



WEB COPY

WP No. 3769 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 3769 of 2026

WMP.Nos.4194 & 4195 of 2026

G.Devaraj

S/o Govindhasamy,
no 625, Karamedu Street,
Kolathur Village and Post,
Arani Taluk 613 111

..Petitioner(s)

Vs

1. The District Collector

Inspector of Thiruvannamalai District,
Panchayat Union
Thiruvannamalai

2. The Block Development officer

West Arani,
Thiruvannamalai District

3. The Project Director / Associate Director

District Rural Development
Thiruvannamalai

..Respondent(s)



Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 5.1.2026 passed by 1st respondent in Na.Ka. no 1724535 / 2024/ PA E2 and the relieving order dated 12.1.2026 passed by the 2nd respondent in Na.ka. OA 4/ 835/ 2024 and quash the same and consequently direct the respondent to retain the petitioner at and resotre the petitioner to Kaatukanallu Village Panchayat West Arani.

For Petitioner(s): Mr.T.Shanmugam

For Respondent(s): Mr.P.Balathandayutham, SGP

ORDER

The order passed by the first respondent in Na.Ka. no 1724535 / 2024/ PA E2 dated 05.01.2026 and the consequential relieving order dated 12.01.2026 passed by the second respondent in Na. Ka. OA 4/ 835/ 2024, are put under challenge in the present Writ Petition. Consequently, the petitioner has sought for a direction to the respondent to retain and restore him at Kaatukanallu Village Panchayat West Arani.

2. Heard the learned counsels appearing on either side.

3. It is the case of the petitioner that he joined the service as Panchayat Clerk at Kalathur Village Panchayat, West Arani Union in the year 2006 and thereafter transferred to Katykanallur Village Panchayat and promoted as



Panchayat Secretary in 2020 and transferred to Aadipalayam Village Panchayat, West Arani and thereafter transferred to various panchayats. Based on a complaint of two advocates, an enquiry was conducted on the order of the second respondent dated 26.09.2025 and the enquiry report dated 06.11.2025 stated that no evidence was produced by the complainants in support of their allegations. Thereafter, the second respondent passed two orders on the same day i.e., on 23.12.2025, transferring the petitioner from Kaatukanallur Village Panchayat to Kolattur Village Panchayat and Appanallur Village Panchayat. While so, to his shock, the first respondent passed the impugned order dated 05.01.2026 transferring the petitioner from Kaatukanallur Village Panchayat, West Arani Village Panchayat to Perungkattur Village Panchayat, Vempakkam Panchayat Union which was followed by the relieving order of the second respondent dated 12.01.2026. Aggrieved by the same, the present petition has been filed.

4. The learned counsel for the petitioner submitted that the order of transfer of the petitioner is not on administrative reasons but only based on the complaint of two persons, which was also not proved as against the petitioner as revealed from the enquiry report dated 06.11.2025 and hence, the same is unsustainable and liable to be quashed and thus, prayed this Court to pass appropriate orders.



5. Per contra, the learned Special Government Pleader appearing on behalf of the respondents submitted that based on a complaint, the petitioner was transferred from Kaatukanallur Village Panchayat, West Arani Village Panchayat to Perungkattur Village Panchayat, Vempakkam Panchayat Union for the smooth functioning of the Panchayat by the first respondent. He further submitted that in regard to the complaint, enquiry was conducted and report was filed and final orders will be passed within a reasonable time.

6. The facts in this case are not disputed. Based on a complaint, the petitioner was transferred from Kaatukanallur Village Panchayat, West Arani Village Panchayat to Perungkattur Village Panchayat, Vempakkam Panchayat Union by the first respondent. However, if there is any allegations as against the petitioner, the duty cast upon the respondents is to conduct enquiry and place the petitioner under suspension, if the same is proved but without doing the same, the transfer order was passed as a punishment but it is only an incident of service and hence, on this sole ground, the orders impugned herein are liable to be quashed.

7. In view of the above reasoning, the impugned orders passed by the first and second respondent dated 05.01.2026 and 12.01.2026 respectively are set aside. However, the respondents are at liberty to initiate disciplinary proceedings as against the petitioner based on the enquiry report in the manner known to law.



8. The Writ Petition is allowed in the above terms. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

16-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

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Thiruvannamalai.
2. The Block Development officer
West Arani,
Thiruvannamalai District.
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M.DHANDAPANI, J.

DP

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