



WEB COPY

WP No. 9079 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 9079 of 2026

AND

WMP Nos. 9803 & 9808 of 2026

R.Girija
W/o. S. Velu,
No.5/1676, Vijayalakshmi Illam,
Elementary School Street,
Ilakkiyampatti Village,
Dharmapuri -636 705.

..Petitioner

Vs

1. The Director
Agriculture Directorate,
Chepauk, Chennai-600 005.
2. The Joint Director of Agriculture
Agriculture Department, Dharmapuri,
Dharmapuri District.
3. Thiru. K. Palanivel
Seed Testing Officer,
Seed Testing Laboratory,
Collectorate Back Side,
Opposite to DFO Office,
Virupakshipuram,
Dharmapuri - 636 705.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the order of transfer in Se.Mu.Aa.No.PaP2/600/-2026-2 dated 24.02.2026 (served on 27.02.2026) on the file of the 1st respondent quash the same and pass orders



For Petitioner:

Mr.N.Manokaran
for Mr.V.Elangovan

For Respondents:

Mr.R.U.Dinesh Rajkumar
Additional Government Pleader for R1 & R2

ORDER

Challenging the transfer which took place within a period of less than two years of her previous transfer, the petitioner is before this Court.

2.The short facts are as follows :

(a) The petitioner who was appointed as Agricultural Officer, was posted at Thirumaruthur Block, Nagapattinam District on 25.01.2006. She was transferred to Ayothiyapattinam, Salem District on 15.02.2008, and once again on 05.07.2012, she was transferred within Salem District. Thereafter, the petitioner was transferred to Coconut Crossing Centre at Salem. Again on 15.06.2016, she was transferred to Salem Head Office as Seed Certification Officer. On 29.06.2019, she was promoted as Assistant Director of Agriculture and posted at Thalaivasal, Salem District, where she worked for one year and on 10.07.2020, she was transferred to Veerapandi in Salem District. Ultimately, on 22.07.2024, she was transferred to Seed Testing Lab, Dharmapuri.



(b) The petitioner would submit that her husband is working as Assistant Director of Agriculture, Quality Controller and Information at Namakkal and her son is studying 12th Standard in Senthil Public School at Salem, and her daughter is studying in 9th Standard at Sri Swamy International School, Salem. The petitioner would submit that since both she and her spouse are working, her children are being taken care of by her mother-in-law who is 72 years old, and the petitioner could visit her children only during public holidays and her official visit to Salem.

(c) While so, on 24.02.2026, the first respondent had passed an order transferring the petitioner to Morappur at Dharapuram District, which was served on her on 27.02.2026, and in her place, the third respondent has been placed. According to the petitioner, this transfer is vice- versa and this has been made to accommodate the request of the third respondent and it is not for the administrative reasons, as alleged in the transfer order. Thereafter, the petitioner has challenged the said transfer order.

3. When the matter came up for admission on 04.03.2026, this Court had directed the Additional Government Pleader to get instructions. Today, when the matter is listed for hearing, the learned Government Advocate would submit that the transfer has been effected only for the reason that the third respondent



had requested for a transfer, on the ground that he had met with an accident and is temporarily disabled. The documents accompanying this note shows that the accident had taken place as early as 2013. The note would further state that the third respondent has been transferred to Seed Testing Lab, Dharamapuri from the existing station (Morappur, Dharmapuri). The note further shows that the transfer is only on compassionate and sympathetic grounds.

4. Considering the fact that the transfer of the petitioner is solely not on administrative reasons but to accommodate the request of another officer viz., the third respondent herein, the said transfer cannot be sustained.

5. In the judgment of the Co-ordinate Bench in W.P.No.19436 of 2021, in the case of ***R.Ravichandran Vs Principal Chief Conservator of Forests***, the learned Judge has discussed Section 48 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, which deals with the transfer of Government Servants and also relying upon G.O.Ms.No.10 Personnel and Administrative Reforms (Personnel-S) Department, dated 07.01.1994, wherein in Annexure-I and Annexure-II of the said G.O., it has been clearly stated that the transfer period should be between 1st April and 30th June of every year and that the transfer should be done once in three years, and further, went on to hold that the transfer of the petitioner therein made to accommodate another officer was contrary to the language of G.O.Ms.No.10 Personnel and Administrative



Reforms (Personnel-S) Department, dated 07.01.1994 In paragraph No.15, the learned Judge has observed as follows ;

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“15. The transfer of the petitioner has been made only to accommodate for the other Forest Range Officers Thiru.S.Dhanapal and Thiru.S.Vimalkumar. The petitioner's transfer is contrary to G.O.Ms.No.10 Personnel and Administrative Reforms (Personnel-S) Department, dated 07.01.1994 as amended by G.O.Ms.No.687 Environment and Forest (FR II) Department dated 01.10.1990. Even as per Section 48(3) of the said Act, the transfer on administrative grounds can be made only by the Government.”

6. The above judgment would squarely apply to the facts of the present case and accordingly, the writ petition is allowed. The impugned order of the first respondent dated 24.02.2026 is hereby quashed. The respondents 1 and 2 are directed to follow the Rules and Acts and the procedure contemplated therein, while issuing transfer orders. The respondents 1 and 2 shall retain the petitioner at the Seed Testing Lab, Dharmapuri, till she completes her tenure of three years of service in the said station. No costs. Consequently, connected miscellaneous petitions are closed.

05-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DS



To:

1. The Director
Agriculture Directorate,
Chepauk, Chennai-600 005.
2. The Joint Director of Agriculture
Agriculture Department, Dharmapuri,
Dharmapuri District.



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