



W.M.P.No.18111 of 2026
in W.P.No.16860 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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RESERVED ON : 07.05.2026

PRONOUNCED ON : 02.06.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.M.P.No.18111 of 2026

in

W.P.No.16860 of 2026

1.All India Union Bank Officer Staff Association
Rep. by its General Secretary D.S.Ganesan,
AIBOA House, II Floor, No.109, Angappan
Naicken Street, chennai - 600001.

2. Deepika G

... Petitioners

VS.

1.Union Bank Of India
Rep. by its Managing Director and Chief Executive Officer,
Central Office,
No.239, vidhan bhawan marg,
Nariman Point,
Mumbai 400 021.



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2.Union Bank of India

Rep. by its Chief General Manager,
Human Resources Department, Central Office,
No.239, Vidhan Bhawan Marg,
Nariman Point, Mumbai 400 021.

3.Government of India

Rep. by its Secretary,
Dept. of Financial Services,
Jeevan Deep, Parliament Street,
New Delhi 110001.

... Respondents

PRAYER: Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, to issue an interim order of stay of operation of the circular bearing No.101885 – 2026 dated 16.03.2026 issued by the 2nd respondent to the extent of conditions stipulated in clauses 5.4 and 5.11 (iv) with respect to the women officers, pending final disposal of the Writ Petition.

For Petitioners : M/s.R.Vaigai, Senior Counsel
for M/s.Anna Mathew

For R1 and R2 : Mr.ARL.Sundaresan, Senior Counsel,
Additional Solicitor General of India
for M/s. Edward James

For R3 : Mr.A.Zakir Hussain,
Central Government Standing Counsel



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ORDER

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This Writ Miscellaneous Petition has been filed seeking to stay of operation of the Staff Circular bearing No.101885 – 2026, dated 16.03.2026 issued by the 2nd respondent to the extent of conditions stipulated in Clauses 5.4 and 5.11 (iv) with respect to the women officers, pending final disposal of the Writ Petition.

2. The main Writ Petition has been filed by the Petitioners/Staff Association challenging the transfer policy of the 2nd respondent/Bank circulated in Staff Circular bearing No.101885 – 2026, dated 16.03.2026 in so far as Clause 5.4 of the policy as it enables transfer of female officers on account of longer tenure in a zone and restricting exemption from inter-zone transfer on the grounds of maternity and childcare to only once as per Clause 5.11 (iv) as illegal, arbitrary, quash the same and consequently, direct the respondents 1 and 2 to provide for transfer of female officers at a place close to their spouse/family as mandated by the Government of India, Ministry of Finance, Department of Financial Services' letter dated 08.08.2014 and 26.11.2024.



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3. When the matter came up for hearing on 30.04.2026, this Court passed the following order:-

“2. The learned Senior Counsel appearing for the respondents 1 and 2, on instructions, would submit that as far as Clause 5.11 (iv) of the Transfer Policy is concerned, the lady officer would be entitled to benefits offered in Clause 5.11(iv) (a) and (b) for the second child as well. This statement is recorded and therefore stay of Clause 5.11 at this juncture is not required.

3. However, considering the fact that the amendment to the Transfer Policy Clause 5.4 causes prejudice to the petitioners, there shall be an order of interim stay of operation of the staff circular bearing No.101885-2026 dated 16.03.2026 issued by the 2nd respondent to the extent of Conditions stipulated in Clause 5.4 alone with respect to the women officers, till 06.05.2026.

4. Post the matter on 06.05.2026, for counter.”



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4. The respondents 1 and 2 filed a counter affidavit opposing the writ petition and sought for vacation of the interim stay granted by this Court.

5. M/s.R.Vaigai, learned Senior Counsel appearing for the petitioners would submit that the impugned transfer policy of the 2nd respondent/Bank especially Clause 5.4 ignores directions contained in Letters dated 08.08.2014 and 26.11.2024 issued by the Government of India, Ministry of Finance and enables Bank to transfer of female officers to far off places from the place where their spouse/family members are working, therefore, the same is arbitrary and violative of Articles 14, 15 (3) and 21 of the Constitution of India. The learned Senior Counsel further submitted that similar transfer policy was already challenged by the Petitioners/Association in W.P.No.28838 of 2024 and the same was disposed of on 28.04.2025 with certain direction. In the appeal filed by the 1st respondent/Bank in W.A.No.1815 of 2025, a limited stay was granted on 19.06.2025 staying the operation of Clause (i), (ii), (iii), (iv) and (v) of Para 95 of the order impugned therein. It is further submitted that the Division Bench of this Court also clarified that the other conditions in the order impugned therein shall be complied with by the Bank.



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6. It is also brought to the notice of this Court that Clause (vi) of

Paragraph No. 95 of the order passed in earlier writ petition specifically directs the Respondents/Bank to comply with the guidelines issued by the Government of India, in its Letters dated 08.08.2014 and 26.11.2024. In spite of the same, the impugned transfer policy has been circulated ignoring the guidelines, therefore, according to the learned Senior Counsel, the same is liable to be quashed.

7. Mr.ARL.Sundaresan, learned Senior Counsel/Additional Solicitor General of India appearing for the respondents 1 and 2/Bank would submit that the guidelines issued in the Government of India's Letters cited above were fully complied with in the impugned transfer policy and there are provisions in the impugned order to accommodate female officers in the places very near to the working place of their spouse/family members. He further submitted that right to challenge a transfer order is an individual right and it cannot be agitated collectively by the 1st Petitioners/Union. He also submitted that service of officers in the Bank is an All India Transferable Service under Regulation 47 of the Union Bank of India Officers Service Regulations. Therefore, according to him, the petitioners are not entitled to challenge the transfer policy.



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8. The learned Senior Counsel/Additional Solicitor General of India

by taking this Court to the averment contained in the counter affidavit would submit that a total of 367 female officers were granted exemption from the transfer on account of longer tenure for the Financial Year 2024-2025 and a total of 119 female officers were granted exemption from the transfer on account of longer tenure for the Financial Year 2023-2024. It is also submitted that officers who are served in particular zone for longer tenure (minimum 5 years/maximum 9 years) shall be required to serve in another zone for a minimum period of 3 years. In case of inter-zone transfer, the officers who are liable to be transferred on account of longer tenure are required to specify their preferences in the Union Parivar/HR Portal and also make a request that he/she are falling under the exempted category for the consideration of the Bank. It is also submitted that during the Financial Year 2026-2027, a total of 475 female officers were exempted from transfer on various permissible grounds. The learned Senior Counsel/Additional Solicitor General of India further submitted that a total of 1,519 female officers were issued with transfer orders under the longer tenure category on April 28, 2026 out of which 1,204 female officers who were eligible for transfer, submitted their requests/preferences under the longer tenure category and in respect of 315 eligible longer tenure female officers, no

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requests/preferences were received by the Bank. It is also submitted that out

of 1,204 female officers, who are submitted their requests/preferences, 1,108 female officers were transferred in accordance with their first preference. The remaining 96 female officers were allotted their second/third preference on account of non-completion of mandatory Rural, Semi-Urban Service.

9. It is further submitted that the impugned transfer policy introduced the concept of “Cohort Zone” comprising groups of 3 to 4 nearby zones in similar linguistic areas, for the purpose of posting officers on longer tenure. In respect of 315 eligible female officers from whom no preferences were received, 284 female officers were allotted to the nearest Cohort Zone and remaining 31 female officers were allotted to the second nearest Cohort Zone as per the distance matrix. The learned Senior Counsel/Additional Solicitor General of India further submitted that even though transfer orders were issued on 28.04.2026, in view of the interim stay granted by this Court, the Respondent/Bank is constrained to hold the relieving of all the officers, who have been issued with transfer orders and hence, continuation of the stay order, according to the learned Senior Counsel/Additional Solicitor General of India, would cause grave and irreparable destruction to the manpower distribution and work force balance across the zones.



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10. The present writ petition has been filed challenging the transfer policy of the 2nd respondent/Bank mainly on the ground that it failed to comply with the guidelines issued by the Government of India in its Letters dated 08.08.2014 and 26.11.2024. The letter of the Government of India, Ministry of Finance, dated 08.08.2014 reads as follows:-

“It has been brought to the notice of this Department that female employees of Public Sector Banks (PSBs), married or unmarried, when placed/transferred away from their husband or parents, as the case may be, to distant locations face a genuine hardship and develop a feeling of insecurity. Keeping this in view, it has been decided:

(i) to accommodate as far as possible placement/transfer of married female employee, on her request, at a place where her husband is stationed or as near as possible to that place or vice versa; and

(ii) to accommodate as far as possible placement/transfer of unmarried female employee, on her request, at a place where her parents, are



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stationed or as near as possible to that place.

2. PSBs are, therefore, advised to frame a policy on the subject with the approval of their Board suitably incorporating the above and take immediate action for implementation and compliance. Pending requests may also be considered under these guidelines. A line of confirmation may be sent to this Department immediately after adoption of the policy by the Board of the Bank.”

11. The guidelines issued by the Government of India in its letter dated 26.11.2024, which are relevant to the female officers are extracted below:-

“g. In addition to the available grounds of transfer, the grounds of marriage / spouse / medical / maternity / child care / far away postings also be suitably incorporated.

h. In case of spouse working in Central / State Governments, an endeavor to post them in the same place / region or nearby place / region be



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made.

i. Women employees be transferred as far as possible to nearby places / stations / region. In case of posting to a far-away / remote locations, their safety be given due importance and availability of basic amenities as ensured.”

12. A perusal of the impugned transfer policy would indicate that Clause 5.4 of the same enables the Respondent/Bank to transfer the officers working in very same zone for more than 5 years. Clause 5.4.2 would say an officer shall normally be posted in a zone for a minimum period of 5 years and maximum period of 9 years. The officers shall be liable for inter-zone transfers on account of longer tenure in a zone once they complete the minimum period in a zone. Therefore, it is clear that once an officer completes the minimum period of 5 years in a zone, he/she is liable to be transferred to some other zone. In no case, he/she shall be allowed to work in the same zone for more than 9 years. However, the transfer on account of longer tenure is not applicable to the female officers, who had attained 52 years and male officers, who had attained 54 years respectively as on 30th June of the relevant Financial Years. The Clause 5.11 deals with General

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Exemptions like differently abled, critical illness, death of spouse, female officers on family way/child below 2 years, officer bearer of Trade Union and single parent (of child upto 10 years of age).

13. Clause 5.3.1 of impugned transfer policy reads as follows:-

“5.3.1. However, the lady officer will not be exempted from transfer as contained in clause 5.4 (longer tenure transfers) & 5.5 (transfers on promotion) on the ground that it will amount to separation from her husband, and in such cases transfer of the female staff shall be carried out by the Bank.”

14. Clause 5.3.1 of impugned transfer policy makes it clear that lady officer will not be exempted from longer tenure transfer contained in Clause 5.4. Therefore, it is clear guidelines issued by the Government of India in the letters cited above, have not been given effect to as far as longer tenure transfer under Clause 5.4 of the impugned transfer policy.



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15. This Court when earlier transfer policy of the Respondent/Bank was challenged by the petitioners in W.P.No.28838 of 2024, issued various directions to Respondent/Bank for formulating the transfer policy. The direction contained in Paragraph No.95 (vi) of the said order (which has not been stayed), reads as follows:-

“(vi) The first and second respondents must ensure that any policy they introduce is in conformity with the guidelines issued by the Central Government, as outlined in its directive dated 08.08.2014 and subsequently reiterated on 26.11.2024.”

16. As mentioned earlier, Clause 5.3.1 of the impugned transfer policy makes it clear longer tenure transfer are compulsory for female officers, who have completed required number of years in one zone and they cannot seek exemption on the ground that such transfer would amount to separation from her husband/family members. Therefore, as far as longer tenure transfers are concerned, the guidelines issued by the Government of India in its Letters dated 08.08.2014 and 26.11.2024, in the prima facie view of this Court, have



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been completely diluted. Whether safeguard introduced by the

Respondent/Bank in Clause 5.4.4 by introducing the concept of Cohort Zones would amount to sufficient compliance of the guidelines issued by the Government of India, is a matter to be deliberated in detail at the time of final disposal of the writ petition.

17. In view of the same, the interim stay granted by this Court on 30.04.2026 shall continue until final disposal of the writ petition. However, it is seen from the counter affidavit, the Respondent/Bank passed an order for transfer of 1,519 female officers under longer tenure category as early as on April 28, 2026 and out of which 1,204 female officers submitted their requests/preferences under longer tenure category. Therefore, it is made clear that the interim stay granted by this Court will not affect transfer of female officers, who have already submitted their requests/preferences under the longer tenure category. In respect of female officers, who have not submitted any requests/preferences, the interim stay shall continue till the final disposal of the writ petition. Both the parties are at liberty to move the concerned Court for early disposal of the main writ petition.



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18. With these directions, this Writ Miscellaneous Petition stands
disposed of.

02.06.2026

Index :Yes / No
Speaking order :Yes / No
Neutral Citation :Yes / No
dm

To

1.The Managing Director and Chief Executive Officer,
Union Bank Of India
Central Office,
No.239, vidhan bhawan marg,
Nariman Point, Mumbai 400 021.

2.The Chief General Manager,
Union Bank of India
Human Resources Department, Central Office,
No.239, Vidhan Bhawan Marg,
Nariman Point,
Mumbai 400 021.

3.The Secretary,
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S.SOUNTHAR, J.

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**Pre-delivery order made in
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02.06.2026