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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03-11-2026

CORAM

THE HON'BLE MR. JUSTICE B.PUGALENDHI

WP(MD) No. 1976 of 2025

CNR:{HCMD010087532025}

Case QR

and

WMP(MD) Nos. 1393, 1394, 1395 and 5265 of 2025

C. Deepa

..Petitioner(s)

Vs

1. The Inspector General of Police,
   O/o. Special Director General of Police,
   Armed Police, Chennai 10.

2. The Commandant,
   TSP XII Battalion,
   Manimuthar,
   Ambasamudram Taluk,
   Tirunelveli District.

3. The Commandant,
   TSP VIII Battalion,
   Tihar Jail Complex,
   Mayapurt,
   New Delhi 110064.

4. The Deputy Commissioner,
   KVS, Regional Office,
   Chennai.

[R4 is suo motu impleaded vide order
dated 3.11.206]

..Respondent(s)

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PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned Transfer Order in Rc.No.A2/74/03/2025, R.O.No. 10/2025 dated 20.01.2025 on the file of the Respondent No.1 and quash the same as illegal and consequently direct the respondents to permit the petitioner to continue her service as Sub Inspector of Police in the existing 3rd Respondent Office within the time stipulated by this court.

For Petitioner(s) : Mr.T.Lajapthi Roy,
Senior Counsel
for M/s N.Arjunkumar

For Respondent(s) : Mr.B.Saravanan,
Additional Advocate General,
Assisted by
Mr.M.Mahaboob Athiff, for R1 to R3
Mr.Karthikeya Venkatachalapathi
Dy.Solicitor General of India (i/c)

ORDER

The petitioner / a Sub Inspector of Police, has challenged the impugned order transferring her from TSP VIII Battalion, New Delhi to TSP XII Battalion, Manimuthar.

2.The learned senior counsel appearing for the petitioner by referring to Section 2 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 submits that this

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petitioner has lodged complaint as against the higher officials under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the complaint has been proved and therefore, the petitioner is having protection under this Act. Under such circumstances, the petitioner has been transferred from New Delhi to Manimuthar by way of punishment. The person as against whom, the petitioner has lodged the complaint has also been transferred to Tamil Nadu. He further submits that the petitioner's children are studying in New Delhi.

3.The learned Additional Advocate General submits that the transfer order has been passed on administrative reasons and Section 12 of the said Act is not applicable to the present case.

4.This Court has considered the rival submissions made.

5.Transfer is incidental to service. Admittedly, the petitioner, who has been transferred on deployment to New Delhi has been working for the past 12 years in New Delhi and therefore, the writ petitioner cannot claim as a matter of right that she would be posted only at New Delhi. The petitioner's elder son was studying 10th standard when the impugned

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order was passed and therefore, this court has granted interim order enabling the petitioner's son to complete 10th standard. It is reported that now the petitioner's son is studying 11th standard. There are Kendriya Vidyalayas and CBSE Schools in Tamil Nadu and if the petitioner wants their children to study in CBSE school or in Kendriya Vidyalaya, she can find suitable school in Tamil Nadu.

6.Considering the plight of the petitioner that her children are studying and the length of her service at New Delhi, this court suo motu impleads, the Deputy Commissioner, KVS, Regional Office, Chennai as a party to this writ petition and Mr.Karthikeya Venkatachalapaty, learned Deputy Solicitor General of India (i/c) is directed to take notice for the newly impleaded respondent. The newly impleaded respondent shall consider the case of the petitioner sympathetically to accommodate her children in the nearby Kendriya Vidyalaya.

7.This writ petition is dismissed in the above terms. No costs. Consequently connected miscellaneous petitions are closed.

03-11-2026

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

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