



WA(MD)No.506 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10.04.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WA(MD)No.506 of 2026
and
CMP(MD)No.4631 of 2026

The Block Development Officer,
(Village Panchayats)
Tiruchendur Panchayat Union,
Tiruchendur,
Thoothukudi District.

... Appellant

Vs.

1. N.Esakkiammal

2. Thiru M. Maruthupandi,
Panchayat Secretary,
Pitchivilai Village Panchayat,
Tiruchendur Panchayat Union,
Thoothukudi District.

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against
the order made in W.P(MD)No.5229 of 2024 dated 07.11.2025.

For Appellant

: Mr.D.Sasikumar
Additional Government Pleader



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For R1

: Mr.A.Thirumoorthy

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JUDGMENT

(Judgment of the Court was made by **N.SATHISH KUMAR, J.**)

This Writ Appeal is directed against the order made in W.P(MD)No.5229 of 2024 dated 07.11.2025.

2. In the said writ petition, the 1st respondent/writ petitioner challenged the transfer order. On the basis of her undertaking that she will join the transferred place at the end of the present academic year, the transfer order was directed to be kept in abeyance till 31.05.2026 and the writ petition was disposed of accordingly. As against the said order, this writ appeal has been filed.

3. Learned Additional Government Pleader appearing for the appellant would contend that citing that her daughter is studying 5th standard in a school at Arumuganeri, the 1st respondent filed undertaking affidavit and the Writ Court erroneously accepting the same, directed that the transfer order be kept in abeyance till 31.05.2026. He would further



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submit that the distance between the present place and the school in which her daughter is studying is 18 kms, whereas, the distance between the school and the transferred place is only 8 kms, which fact was suppressed by the 1st respondent before the Writ Court. Thus, he would pray for setting aside the impugned order passed by the Writ Court.

4. Normally the writ petition challenging transfer order cannot be entertained, unless it is shown that the transfer is *mala fide* or punitive in nature. However, considering the fact that the period given in the undertaking is likely to expire on 31.05.2026 and also taking note of the submission of the learned counsel for the 1st respondent that the 1st respondent will join the transferred place on 01.06.2026, we are not inclined to interfere with the impugned order.

5. Accordingly, the Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
10.04.2026

Index : Yes / No
Neutral Citation : Ye / No
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To

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