



WP(MD). No.14699 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05/06/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.14699 of 2026
and WMP(MD)Nos.11037 to 11039
and WMP(MD)No.11402 of 2026

L.Subburaj

... Petitioner

Vs.

1. The Director General of Prisons and Correctional Services,
Tamil Nadu.

2. The Superintendent,
Central Prison, Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER:- This petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records in the impugned order passed by the first respondent in No. 856/EW.3/2026 dated 13.05.2026 and the consequential impugned order passed by the second respondent in No.2080/Ki.Si.2/206 dated 14.05.2026 and quash the same as illegal.

(Prayer is amended vide order dated 05.06.2026 in WMP(MD)No. 11401 of 2026 in WP(MD)No.14699 of 2026 by MSKJ)

For Petitioner : Mr.R.J.Karthick

For Respondents : Mrs.K.Porkodi

Government Counsel



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ORDER

This writ petition is filed challenging the order of transfer transferring the petitioner from the Sub Jail, Kovilpatti to the Central Prison, Cuddalore on the ground that the petitioner was earlier posted at Kovilpatti keeping in view the Voluntary Retirement Scheme application submitted by him and to enable him to continue in service.

2. The learned counsel for the petitioner further submitted that the petitioner, due to his domestic problems, is not in a position to continue in service and therefore submitted Voluntary Retirement application. The respondents instead of considering the Voluntary Retirement Scheme application have accommodated the petitioner in his native place at Kovilpatti only in the month of April 2025. But the petitioner is now disturbed by transferring from his native place and therefore, he is not interested to continue in service and requested for appropriate direction to the respondents to process the Voluntary Retirement Scheme application submitted by the petitioner.



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3. Though the learned counsel for the petitioner contended that it is only taking into consideration the Voluntary Retirement Scheme application submitted by the petitioner he was posted at Kovilpatti, there is nothing on material to substantiate the said contention.

4. Be that as it may, the impugned proceedings dated 13.05.2026 is a simple order of transfer purportedly on administrative grounds. There is no allegation of *malafide* or otherwise raised in the affidavit filed in support of the writ petition worth considering. It is not in dispute that the impugned proceeding has been issued by the competent authority. In the absence of any allegation of *malafide* exercise of power or dispute about competency of the Authority who issued the impugned proceedings, this Court normally will not interfere with the orders of transfer.

5. Be that as it may, as the learned counsel for the petitioner made a request for appropriate direction to the respondents to consider his application for Voluntary Retirement Scheme, this Court does not see any impediment for issuing appropriate direction as the petitioner is stated to be not in a position to continue in service because of his



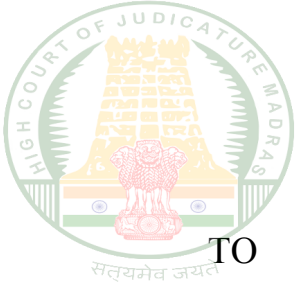
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domestic problems. In the circumstances, while this Court refusing to interfere with the impugned proceedings, thought it appropriate to issue direction to the respondents to process the Voluntary Retirement Scheme application submitted by the petitioner expeditiously.

6. Accordingly, this writ petition is disposed of directing the first respondent to consider the Voluntary Retirement Scheme application dated 19.02.2024 stated to have been submitted by the petitioner as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this order. The petitioner is also granted liberty to submit a fresh application within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

05.06.2026

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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MUMMINENI SUDHEER KUMAR,J

CM

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