



W.P.(MD) No.26037 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
27.04.2026	15.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.26037 of 2025
and
W.M.P.(MD) Nos.20352 & 28366 of 2025

Sagar Ban

... Petitioner

-vs-

- 1.The Managing Director
Tamil Nadu Cooperative
Marketing Federation
(TANFED), Chennai
- 2.The Secretary
Tamil Nadu Cooperative
Marketing Federation
(TANFED), Chennai
- 3.The General Manager / Marketing
Tamil Nadu Cooperative
Marketing Federation
(TANFED), Chennai



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4.The General Manager / Fertilizer
Tamil Nadu Cooperative
Marketing Federation
(TANFED), Chennai

5.The Regional Manager
Tamil Nadu Cooperative
Marketing Federation (TANFED)
No.141, Beach Road
Nagercoil, Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relating to the impugned order passed by the first respondent in Na.Ka.No.239/2021 Pa.Tho. 1, dated 26.08.2025 and quash the same and consequently direct the first respondent to allow the petitioner to work in the Regional Office, TANFED, Nagercoil.

For Petitioner : Mr.C.Vakeeswaran

For Respondents : Mr.B.Aravind Sreevatsa

ORDER

This is a case, where the petitioner has challenged the proceedings bearing Na.Ka.No.239/2021 Pa.Tho.1, dated 26.08.2025, issued by the first respondent, whereby the transfer order that was earlier issued by



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the first respondent on 30.05.2025 was confirmed, thereby the petitioner was transferred from the office of the fifth respondent at Nagercoil to the Regional Office, Tirunelveli.

2. The case of the petitioner is that she was appointed in the Tamil Nadu Cooperative Marketing Federation (TANFED) as Assistant on 17.12.2020 and she joined duty on 02.02.2021 at the Regional Office, TANFED, Tirunelveli. It was thereafter, the petitioner was transferred to the Regional Office, TANFED, Nagercoil, *vide* proceedings dated 31.01.2024 and accordingly, the petitioner joined at Nagercoil. Thereafter, the petitioner was promoted to the post of Senior Assistant on 21.06.2024 and she was allowed to continue in the very same Office at Nagercoil. However, it was thereafter *vide* proceedings dated 28.11.2024 issued by the first respondent, the petitioner was transferred to the Head Office, TANFED, Chennai, and it was thereafter, the said transfer order was cancelled by the first respondent *vide* proceedings dated 04.02.2025 on the request made by the petitioner and the petitioner was allowed to continue at the office of the fifth respondent at Nagercoil.



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3. While the petitioner was working as such in the office of the fifth respondent at Nagercoil, the fifth respondent submitted a report to the first respondent on 19.02.2025 alleging certain irregularities against the petitioner and an explanation was called for from the petitioner on 21.02.2025 and the petitioner also submitted her explanation on 27.02.2025. It was thereafter, the first respondent issued proceedings bearing Na.Ka.No. 451/2022 Pa.Tho.1, dated 30.05.2025, transferring the petitioner from the office of the fifth respondent at Nagercoil to the Regional Office, TANFED, Tirunelveli. Aggrieved by the said proceedings, the petitioner approached this Court by filing a writ petition in W.P.(MD) No.19489 of 2025 and the said writ petition came to be disposed of by a Coordinate Bench of this Court *vide* order dated 18.07.2025 directing the first respondent to consider the representation dated 09.06.2025 submitted by the petitioner. It is on considering the said representation submitted by the petitioner as directed by the this Court, the first respondent issued the proceedings bearing Na.Ka.No.239/2021 Pa.Tho.1, dated 26.08.2025, confirming the earlier order of transfer dated 30.05.2025 duly transferring the petitioner from the office of the fifth respondent at Nagercoil to the Regional Office, TANFED, Tirunelveli. It is aggrieved by the said proceedings dated 26.08.2025 issued by the first respondent, the petitioner has approached this Court by filing the present writ petition,



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contending that the fifth respondent has submitted a report to the first respondent against her for *mala fide* reasons.

4. A Coordinate Bench of this Court, while entertaining this writ petition, by an order dated 24.09.2025, granted interim stay of further proceedings pursuant to the impugned proceedings dated 26.08.2025. The said interim order was extended from time to time and is in force as on date.

5. The respondents filed their counter-affidavit on 02.12.2025 *vide* W.M.P.(MD) No.28366 of 2025 seeking vacation of the interim stay granted by this Court on 24.09.2025, contending that after the petitioner was appointed as Assistant in the year 2020, at all times, her request for cancellation of transfer orders have been positively considered and even at Nagercoil as well after the petitioner was promoted to the post of Senior Assistant, she was allowed to retain at the same place and it is only after receipt of the report from the fifth respondent on certain serious allegations, an explanation was called for from the petitioner and after having received the explanation from the petitioner, having not satisfied with the same, an Enquiry Officer was appointed to enquire into the matter preliminarily on the allegations levelled against the petitioner and it is only on receipt of the report



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from the Enquiry Officer on 22.04.2025 and after examining the said report threadbare, with a view to conduct a detailed enquiry into the said allegations, the respondents thought it fit to transfer the petitioner from the office of the fifth respondent at Nagercoil to the Regional Office, TANFED, Tirunelveli and accordingly, a transfer order was issued on 30.05.2025, which was again confirmed on 26.08.2025. Thus, it is contended that the transfer of the petitioner from Nagercoil to Tirunelveli is purely on administrative grounds. As the continuation of the petitioner in the office of the fifth respondent at Nagercoil, while enquiry being initiated against her, is not proper, she was transferred to the Regional Office, TANFED, Tirunelveli, pending enquiry.

6. Heard Mr.C.Vakeeswaran, learned counsel for the petitioner and Mr.B.Aravind Sreevatsa, learned counsel appearing for the respondents and also perused the entire materials available on record.

7. It is settled law that a government servant has no vested right to remain posted at a place of his choice nor can he insist that he must be posted at one place or the other. A government servant is liable to be transferred on administrative grounds from place to place and the same is an incident inherent in terms of the appointment order itself. A transfer order



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can be interfered with only on limited circumstances, such as, for want of competence, in case if the same is issued in *mala fide* exercise of power or in case if the same is punitive in nature or in case if the same will in any way affect the service conditions of the employee etc.

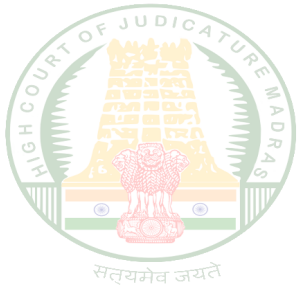
8. In the instant case, the only ground, that is agitated for challenging the impugned proceedings, is that the fifth respondent has submitted a report against the petitioner for *mala fide* reasons. Except alleging that the fifth respondent has submitted a report for *mala fide* reasons, there is no other factual basis in support of the said allegation neither pleaded nor brought to the notice of this Court. The petitioner absolutely failed to state as to for what reasons the fifth respondent acted *mala fide* against her and submitted a report to the first respondent. In the absence of any such allegations of substantial in nature, this Court does not find any basis for the petitioner to allege *mala fides* against the fifth respondent in submitting a report to the first respondent. In the absence of substantiating the allegation of *mala fides* sought to be attributed against the fifth respondent, this Court does not find any reason to interfere with the impugned proceedings. It is not as if the petitioner is targeted by the respondents at any point of time and from the facts of the case narrated herein above, it is evident that when the



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petitioner was sought to be transferred from Tirunelveli in the year 2021, the request made by the petitioner was considered by the respondents and she was allowed to continue in Tirunelveli till the year 2024. Even after her transfer to Nagercoil and on her promotion to the post of Senior Assistant, the petitioner was allowed to continue at the same place i.e., Nagercoil and thereafter, when she was transferred to the Head Office at Chennai, the petitioner did not join duty in Chennai and instead, she went on medical leave and once again, the request made by her was considered by the respondents and she was allowed to continue at Nagercoil and there is no dispute about these facts. However, it is only when there were certain allegations of misconduct against the petitioner, she is now sought to be transferred, that too after conducting a preliminary enquiry by the Internal Committee into the allegations against the petitioner, while taking steps to initiate a regular disciplinary proceedings against the petitioner, on the ground that the continuation of the petitioner at Nagercoil, while the disciplinary proceedings are going on, would not be in the better administration.

9. Though learned counsel appearing for the respondents placed reliance on various decisions of the Honourable Apex Court, in the facts and circumstances of the case on hand, this Court does not see any reason to refer



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to those decisions dealing with *mala fides* and interference of Courts in the matter of transfer orders etc., as the said propositions are settled long back and this Court has taken the settled law into consideration.

10. In the circumstances, this Court does not find any reason to interfere with the impugned proceedings. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

15.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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ORDER
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