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**(2012) 09 MP CK 0119**  
**In the Madhya Pradesh High Court**  
**Case No : Writ Petition No. 14349 of 2012**

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| Smt. A. Thakkar  | Vs | APPELLANT  |
| State and Others |    | RESPONDENT |

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**Date of Decision :** 05-09-2012

**Acts Referred:**

**Citation :** (2012) 09 MP CK 0119

**Hon'ble Judges :** Rajendra Menon, J

**Bench :** Single Bench

**Advocate :** Paritosh Trivedi, for the Appellant; Piyush Dharmadhikari, learned counsel for the State, for the Respondent

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## Judgement

Rajendra Menon, Judge

1. Petitioner is working a an A.N.M. Sub Health Centre Kanki, Lalbarra District-Balaghat and by the impugned orders, petitioner has been transferred to Sub-Health Centre Paraswada, Kirnapur, District-Balaghat. It is seen that challenging the order of transfer, earlier also petitioner has approached this Court and this Court in the earlier Writ Petition in W.P. No. 11915/2012 on 6.8.2012 considered the grievance of the petitioner and directed for considering and deciding the representation of the petitioner. Now the representation is considered and rejected vide Annexure-P7 dated 17.8.2012 and, therefore, petitioner is again before this Court.

2. It is now pointed out by learned counsel for the petitioner that earlier when the petitioner has filed this writ petition, respondents have stated that the petitioner is transferred as a result of rationalization and even in the impugned order, it is stated that the petitioner is being transferred due to rationalization of the man power. However, in the order of rejecting the representation, even grounds of complaint against the petitioner being available is shown and, therefore, it is stated that the representation is rejected on grounds which were not earlier available to the petitioner.

3. Shri Piyush Dharmadhikari, learned counsel points out that even though the petitioner is transferred on the ground of rationalization but while considering the representation of the petitioner, taking note of the complaint received against the petitioner, the same was rejected and in doing so, no error is committed, which warrants interference.

4. Having heard learned counsel for the parties and on consideration of the rival contentions, it is clear that the transfer in question is neither challenged on the grounds of statutory rule or regulation being violated nor is any mala-fides made out from the material available on record.

5. Merely because the reason given for rejecting the representation of the petitioner is not indicated in the order of transfer that cannot be a ground for interfering into the matter. Transfer is an administrative action and various factors are considered for transferring an employee and it is not necessary that while issuing the order of transfer, all the factors should be mentioned. Respondents having considered the representation of the petitioner and having rejected the same, in the absence of any material to show that the rejection of the representation is illegal, due to violation of statutory provision or is a mala-fide action, interference into the matter is not called for. Accordingly, finding no ground to interfere into the matter, the petition stands dismissed.