

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

WP(C).No. 20962 of 2015 (U)

PETITIONER(S):

**SURESH.M.V,
SENIOR SUPERINTENDENT, KSEB, ELECTRICAL SECTION
VADASSERIKARA, 689 662**

BY ADV. SRI.S.ABDUL RAZZAK

RESPONDENT(S):

- 1. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY, VYDHUTHI BHAVAN
PATTOM PO, THIRUVANANTHAPURAM-695 604**
- 2. THE CHIEF ENGINEER (HRM)
KSEB , PATTOM, PO. THIRUVANANTHAPURAM 695 004**
- 3. THE DEPUTY CHIEF ENGINEER
ELECTRICAL DIVISION, PATHANAMTHITTA-689 645**

R1-R3 BY ADV. SRI.K.S.ANIL, SC, KSEB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 16-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: PHOTOCOPY OF PETITIONER'S INCUMBENCY DETAILS FROM
KSEB WEB SITE..**
- EXT.P2: PHOTOCOPY OF PROVISIONAL SENIORITY LIST FROM KSEB WEB
SITE**
- EXT.P3: PHOTOCOPY OF REPRESENTATION DT. 21/5/15**
- EXT.P4: PHOTOCOPY OF TRANSFER NORMS DT. 24/4/13**
- EXT.P5: TRANSFER ORDER NO. EB 3(A)/SS/T&P/2015 DTD.TVPM. 29/6/15**
- EXT.P6: PHOTOCOPY OF PETITIONER'S REPRESENTATION DT. 30/6/15**

RESPONDENT(S)' EXHIBITS: NIL

// TRUE COPY //

PA TO JUDGE.

SB

K. VINOD CHANDRAN, J.

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W.P.(C) No.20962 of 2015 - U

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Dated this the 16th day of November, 2015

J U D G M E N T

The petitioner is aggrieved with Ext.P5 transfer order, by which he has been placed in serial No. 149 transferring him from Electrical Section Vadasserrikkara to Electrical Section Tirur. The petitioner's incumbency details are produced at Ext.P1. It is evident that the petitioner but for a short stint at Thrissur East has been continuing in Pathanamthitta District itself. However, for the last four years, he has been at Moozhiyar Generation Circle. The petitioner was also promoted to the post of Senior Superintendent in 2006 and now the petitioner has been posted to Vadasserrikkara Electrical Section on a request made by the petitioner.

2. The petitioner's contention is that the petitioner's tenure in a station has to start from the date of his joining duty

in the station and hence from the date of his joining duty at Vadasserrikkara. The request also was made only in the circumstance of the petitioner desiring a transfer to his native place. True the Board had showed some sympathy in granting the transfer but that however will not interdict the Board from making general transfers in administrative exigencies, especially when the petitioner had been continuing in the Moozhiyar Generation Circle for the past four years.

3. The contention of the learned counsel for petitioner is that by virtue of Ext.P4 norms, an officer could be transferred only on completion of a tenure of 3 years. The petitioner's contention is that since the petitioner had joined at Vadasserrikkara Electrical Section in August 2014, the petitioner should be permitted to continue in the station for another two years till his tenure is completed. If such an interpretation is given to the norms, every employee could request on various grounds, for a transfer to different station just prior to

completion of the tenure and then claim that he should be continued there for the normal tenure of another three years. It is also to be noticed that the petitioner had been, through out in his service, posted at Pathanamthitta District but for a short stint in Thrissur as was noticed above. In such circumstance, this Court is not inclined to interfere with the transfer order at Ext.P5.

The writ petition would stand dismissed.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB/16/11/2015

// true copy //

P.A to Judge.