

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29766/2015

D.Antony Prince

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Petitioner

Versus

1. The Chairman
Tamil Nadu Generation &
Distribution Corporation Ltd
No.144, Anna Salai, Chennai 600 002.
2. The Chief Engineer/Personnel
Tamil Nadu Generation &
Distribution Corporation Ltd
No.144, Anna Salai, Chennai 600 002.
3. The Chief Engineer/Non-conventional Energy
Sources, Tamil Nadu Generation &
Distribution Corporation Ltd
No.144, Anna Salai, Chennai 600 002.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 3rd respondent to implement the order of transfer passed by the 2nd respondent vide Memo No.062369/G.11/G.111/2015-3 dated 07.08.2015 by issuing order of re-posting to the petitioner enabling the petitioner to join as Assistant Executive Engineer / Wind Farm Project / Tirunelveli under the control of the Chief Engineer/Non-Conventional Energy Sources/Chennai.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : M/s.R.Varalakshmi TNEB

O R D E R

By consent, the writ petition is taken up for final disposal.

2 The petitioner has passed Diploma in Electrical and Electronic Engineering in the year 1995 and joined B.E. course by way of lateral entry and passed the said course in the year 1998 and got

appointment as Technical Assistant in the services of the then Tamil Nadu Electricity Board [now TANGEDCO] on 04.02.1998 in the office of the Assistant Engineer, Nanganallur, Chennai. The petitioner got promotion as Assistant Engineer in the year 2002 and posted at Ennore Thermal Power Station and got further promotion as Assistant Executive Engineer on 26.04.2013 and posted at Kovilpatti, Tuticorin Electricity Distribution Circle and from that place, he was transferred to Kanyakumari Electricity Distribution Circle on 03.10.2013 and was working as Assistant Executive Engineer/C&I, Kuzhithurai. The petitioner has applied for M.E., course and got selected for M.E. [Applied Electronics] course [Part Time], at Anna University, Regional Office at Tirunelveli and therefore, he submitted a representation to the 2nd respondent praying for transfer from Kuzhithurai to Tirunelveli so as to enable him to pursue his Post Graduate Degree and he was transferred vide transfer order dated 07.08.2015 and was posted as Assistant Executive Engineer/Wind Farm Project/Tirunelveli in the place of one Thiru S.Raja Vanthiadevan, Assistant Executive Engineer/Electrical. The grievance now expressed by the petitioner is that though the order of transfer came to be passed as early as on 07.08.2015, it has not been given effect to and would further submit that the petitioner has already submitted a representation to the Anna University Regional Office at Tirunelveli praying for further time to join the said course.

3 Learned counsel for the petitioner would submit that the petitioner has also submitted a representation to the 3rd respondent on 10.08.2015 in this regard and since no orders have been passed, the petitioner has approached this Court by way of filing this writ petition.

4 Per contra, M/s.R.Varalakshmi, learned counsel who accepts notice on behalf of the respondents, would submit that the order of transfer dated 07.08.2015 passed in favour of the petitioner is going to be cancelled and prays for time to file counter.

5 This Court, in the light of the above facts and circumstances, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 10.08.2015 on merits and in accordance with law after taking note of his admission to M.E. [Applied Electronics] course in Anna University, Regional Office, Tirunelveli and pass orders within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. Till then, the 3rd respondent shall defer further decision with regard to cancellation of the order of transfer dated 07.08.2015.

6 The writ petition is disposed of accordingly. No costs.

AP

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Chairman
Tamil Nadu Generation &
Distribution Corporation Ltd
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 2. The Chief Engineer/Personnel
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 3. The Chief Engineer/Non-conventional Energy
Sources, Tamil Nadu Generation &
Distribution Corporation Ltd
No.144, Anna Salai, Chennai 600 002.
- + 1 cc to Mr.S.N.Ravichandran, Advocate SR 51689
- + 1 cc to Ms.R.Varalakshmi Advocate SR 51571

tej(co)
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