



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2016

C O R A M

THE HONOURABLE Dr.JUSTICE S.VIMALA

WEB COPY

Writ Petition (MD) No.23516 of 2016

A.Maheswaran

.. Petitioner

Vs.

1.Tamil Nadu Generation and Distribution
Corporation Ltd.,

Rep. by its Chairman cum Managing Director,
No.144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer (Personnel),
Administrative Branch,
TANGEDCO, N.P.K.R.R.Maligai,
No.144, Anna Salai, Chennai - 600 002.

3.The Superintending Engineer,
O/o.The Superintending Engineer,
Virudhunagar Electricity Distribution Circle,
TANGEDCO, Ramamoorthy Road,
Virudhunagar, Virudhunagar District.

4.The Assistant Executive Engineer,
Material Management,
O/o.The Superintending Engineer,
Virudhunagar Electricity Distribution Circle,
TANGEDCO, Ramamoorthy Road,
Virudhunagar, Virudhunagar District.

5.The Assistant Executive Engineer,
Distribution, TANGEDCO, Town/Ramnad,
Ramnad Electricity Distribution Circle,
Ramnad District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus or any other order or direction in the nature of Writ directing the respondent No.1 to permit the petitioner to join duty at the transferred place or in the old place by considering the representation dated 11.11.2016 within a stipulated time.

For petitioner

... Mr.T.Lajapathi Roy

For Respondents

... Mr.Kasinatha Durai

**ORDER**

This is a writ of Mandamus seeking direction to the first respondent to permit the petitioner to join duty at the transferred place or in the old place by considering the representation dated 11.11.2016 within a stipulated time.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The case of the petitioner is that he was serving as Junior Engineer/Electrical-I Grade, in Virudhunagar Electricity Distribution Circle and he was transferred to Keelakarai, Ramanathapuram Distribution Circle. Thereafter, the petitioner has challenged the transfer order in W.P.(MD)No.10087 of 2016. This Court, by order dated 08.06.2016 dismissed the writ petition. Thereafter, the petitioner applied medical leave from 06.06.2016 to 22.08.2016 and the same was sanctioned. After that, when the petitioner decided to join duty at the transferred place at Keelakkarai, Ramnad Electricity Distribution Circle, he was informed by the fifth respondent that unless I get the clearance certificate from the respondents 3 and 4, he would not be allowed to join duty. Thereafter, the petitioner gave a detailed representation dated 04.10.2016 to the third respondent seeking clearance certificate enabling the petitioner to join duty. As the same was not considered, the petitioner once again given a representation dated 11.11.2016 to the first respondent seeking permission to join duty either to the old place or to the transferred place. But till date, the respondents have not passed any order and hence, the petitioner has filed the present writ petition.

4. When the medical leave has been sanctioned, it is the duty of the respondents either to permit the petitioner to join duty in the original place or to the transferred place. But nothing has been done. Therefore, the respondents are directed to consider the representations of the petitioner dated 04.10.2016 and 11.11.2016 and to pass order on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(Co)

/True Copy/



To

1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai, Chennai - 600 002.

2.The Chief Engineer (Personnel),
Administrative Branch,
TANGEDCO, N.P.K.R.R.Maligai,
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O/o.The Superintending Engineer,
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4.The Assistant Executive Engineer,
Material Management,
O/o.The Superintending Engineer,
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TANGEDCO, Ramamoorthy Road,
Virudhunagar, Virudhunagar District.

5.The Assistant Executive Engineer,
Distribution, TANGEDCO, Town/Ramnad,
Ramnad Electricity Distribution Circle,
Ramnad District.

+1cc to Mr.T.Lajapathi Roy, Advocate, SR.No:79416

rj2

AE/MR VB/30.01.2017/3p/7c

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