

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 3.4.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.A.No.1117 of 2017
and
C.M.P.No.15586 of 2017

R.Surekha

Appellant

Versus

- 1 The Tamil Nadu Generation &
Distribution Corporation Ltd (TANGEDCO)
Rep by its Chief Engineer (Personnel)
Anna Salai Chennai-600 002
 - 2 The Tamil Nadu Generation &
Distribution Corporation Ltd (TANGEDCO)
Rep by its Superintending Engineer
Salem Electricity Distribution Circle
Salem- 636 014
- Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 1.8.2017 passed in W.P.No.16170 of 2017 on the file of this court.

W.P.No.16170 of 2017:

Writ Petition filed under Article 226 of the constitution of India praying to issue a Writ of Certiorari calling for the records relating to the order of the 2nd Respondent dated 20.06.2017 in Ku.A. No. 2885/684-1/Ni.Pi.U.1/Ko. Maruthal/17 and quash the same.

For appellant : Mr.K.Selvaraj
For respondents : Mr.P.R.Dhilip Kumar

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. This writ appeal is filed by the writ petitioner challenging the order passed by the learned Single Judge in dismissing the writ filed against the order of transfer of the appellant.

3. It appears that the appellant, who was originally appointed as Technical Assistant in the respondent Corporation on 8.9.2009 and later, promoted as Assistant Engineer and posted at Muthunayakkanpatti-II, Salem District on 13.3.2014, was transferred to Muthunayakkanpatti-I on 29.5.2017 and subsequently, on 20.6.2017, cancelling the earlier order of transfer, he was once again transferred to Mallur, which was challenged before the learned Single Judge. It appears that the learned Single Judge dismissed the writ petition challenging the transfer by holding that the transfer is an incident of service and it is an administrative transfer made in a routine manner.

4. The learned counsel appearing for the respondents, on instructions, would submit that way back on 21.8.2017, the appellant had joined the place of transfer.

5. In view of the above development reported, the writ appeal does not survive for consideration. Further, it appears that initially, the appellant was transferred from Muthunayakkanpatti-II to Muthunayakkanpatti-I and subsequently, on the basis of the order passed by the Chief Engineer, dated 17.6.2017, it was cancelled and he was transferred to Mallur and posted as Assistant Engineer (Operation and Maintenance) which place is only 100 Kms away from the original place of his work. Moreover, no exceptional circumstances is established by the appellant warranting interference of this court in the matter of transfer. Therefore, we do not find any scope for interference in the matter. Accordingly the writ appeal is dismissed. No costs. The connected miscellaneous petition is also dismissed.

s/d-
Assistant Registrar (CS-III)

True Copy

सत्यमेव जयते
Sub-Assistant Registrar

ssk.

To:

- 1 The Chief Engineer (Personnel)
Tamil Nadu Generation &
Distribution Corporation Ltd (TANGEDCO)
Anna Salai Chennai-600 002

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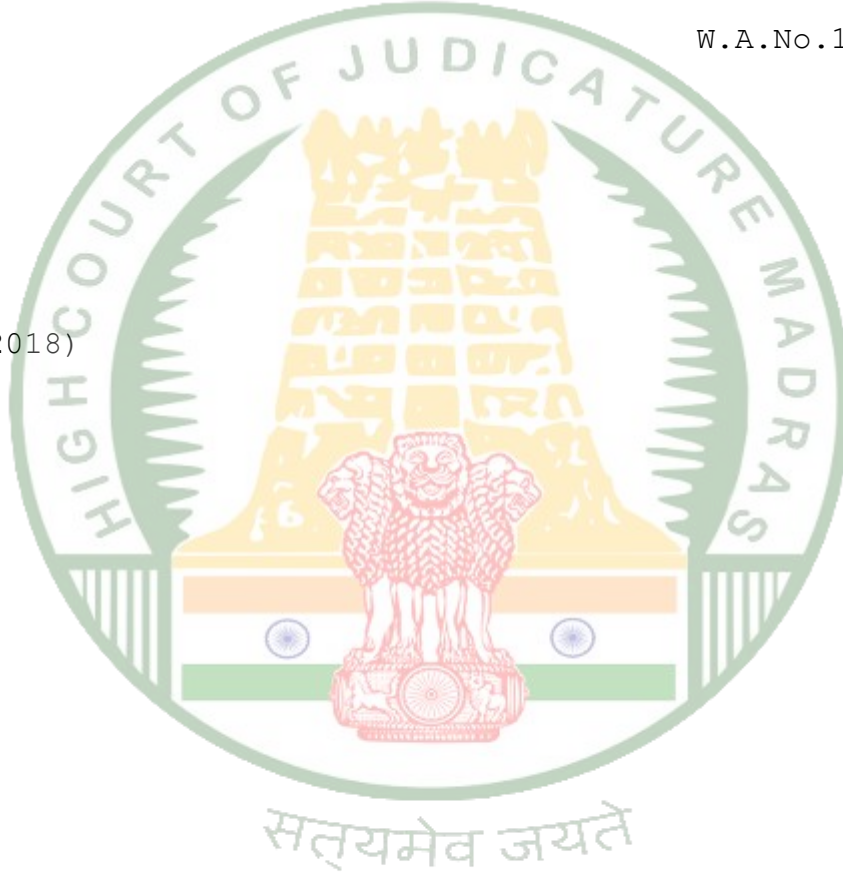
2 The Superintending Engineer
Tamil Nadu Generation &
Distribution Corporation Ltd (TANGEDCO)
Salem Electricity Distribution Circle
Salem- 636 014

+1 CC to Mr.K. Selvaraj, Advocate sr 24647.

+1 CC to Mr.P.R. Dhilip Kumar, Advocate sr 24601

W.A.No.1117 of 2017

NRI (CO)
SP (09/05/2018)



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