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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM:

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE Mrs. JUSTICE R.THARANI

W.A. (MD) No. 264 of 2018

G.Radhakrishnan

... Appellant

Vs.

1.The General Manager (HR)

Human Resources,

Unit - III, Bharat Heavy Electricals Limited,

Trichy - 14.

2.The General Manager,

PPPU, Bharat Heavy Electricals Limited,

Thirumayam, Pudukkottai District.

... Respondents

PRAYER: The Appeal filed under Clause 15 of Letters Patent Act, against the order dated 27.07.2017 passed in W.P.(MD) No.13920 of 2017 by the Learned Single Judge.

Prayer in WP(MD). 13920/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to transfer the petitioner from Bharat Heavy Electricals Limited, Thirumayam to Bharat Heavy Electricals Limited, Trichy Based on the representation of the petitioner dated 02.05.2017 and 05.05.2017.

For Appellant : Mr.S.Karthik K.Subramanian

For Respondents : Mr.A.V.Arun

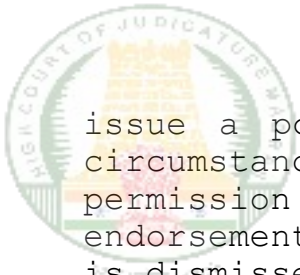
JUDGMENT

(Judgment of the Court was delivered by T.S.SIVAGNANAM, J.)

Heard the learned counsel for the appellant and the learned counsel for the second respondent.

2.This appeal is directed against the order dated 27.07.2017 passed in W.P.(MD) No.13920 of 2017 by the Learned Single Judge of this Court. The said Writ petition was filed, praying for issuance of a Writ of Mandamus, to direct the respondents to transfer the Writ petitioner from Thirumayam to Trichy.

3.We pointed out to the learned counsel for the appellant <https://hservices.ecourts.gov.in/hservices/> that the respondents is a Company and merely because the majority shareholders is the Government of India, the Writ petition is not maintainable. Further more, we also observe that the Court cannot



issue a positive direction to transfer the appellant. In these circumstances, the learned counsel for the appellant seeks permission to withdraw this Writ Appeal and accordingly, he made an endorsement to that effect. In view of the same, this Writ Appeal is dismissed as withdrawn. No costs.

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Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

TO

1.The General Manager (HR)
Human Resources,
Unit - III, Bharat Heavy Electricals Limited,
Trichy - 14.

2.The General Manager,
PPPU, Bharat Heavy Electricals Limited,
Thirumayam, Pudukkottai District.

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NBJ

KK/SV MMS/SAR 3/06.03.2018/ 2P- 3C/