



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.12992 of 2018
and W.M.P.(MD).No.11881 of 2018

P.Vasanthamalar

...Petitioner

Vs.

1.The Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO), Rep. by its Chief Engineer (Personnel),
144, Anna Salai, Chennai.

2.The Superintending Engineer,
The Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO), Trichy Electricity Distribution Circle/
Metro/Trichy,
Mannaerpuram, Trichy - 20.

3.The Executive Engineer,
Operation and Maintenance / East / Trichy,
The Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO), Mannarpuram, Trichy - 20.

4.The Assistant Executive Engineer,
Operation and Maintenance,
The Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO), Sempattu,
Trichy - 620 007.

5. The Assistant Director General of Police,
Vigilance, (TANGEDCO) 144, Anna Salai, Chennai-2.

6. K.Pugalenthil The Assessor Grade-II,
O/o.Assistant Engineer, O & M / Thiruverumbur / Trichy,
Thiruverumbur, Trichy. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned order of transfer passed by the 1st respondent in Letter No.044655/720/G.26/G.261/2018, dated 05.06.2018 and consequential order of 4th respondent in Memo



No.AEE/O&M/Sempattu/F.2/D.No.41/17-18 dated 11.06.2018, quash the same.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.T.Sakthi Kumaran
Standing Counsel

O R D E R

Heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.T.Sakthi Kumaran, learned Standing Counsel, appearing for the respondents.

2.The order of transfer dated 05.06.2018, issued to the petitioner is put under challenge in the present writ petition. Pending writ petition, the petitioner was permitted to continue in the same post of Assessor at Trichy Electricity Distribution Circle, pursuant to the interim order of stay granted by this Court.

3.The learned Standing counsel appearing for the respondents, on instructions, affirms that the petitioner is still continuing in the same post. It is seen that the transfer order was passed way back on 05.06.2018 and the petitioner has been continuing in the said post for more than 2 ½ years. At this length of time, it would not be appropriate to interfere with the transfer order, since the Administrative exigencies, which necessitated the petitioner to be transferred long back may not subsist as on date.

4.Nevertheless, if the respondents are of the view that the petitioner requires to be transferred in future, on administrative grounds, it would always open to them to do so.

5.Accordingly, the impugned order of transfer passed by the 1st respondent in Letter No.044655/720/G.26/G.261/2018, dated 05.06.2018 and consequential order of 4th respondent in Memo No.AEE/O&M/Sempattu/F.2/D.No.41/17-18, dated 11.06.2018, stand quashed, and the writ petition stands closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-3024[F] dated 03/02/2021)

+1 CC to M/s.A.RAHUL, Advocate (SR-3159[F] dated 03/02/2021)

W.P. (MD) No.12992 of 2018
01.02.2021

MJ(CO)

TR(11.02.2021) 3P 3C