

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 21149 of 2018

and

W.M.P.Nos. 24829 & 34111 of 2018

R.M.Arulsamy

..petitioner

Vs

1. The Chief Engineer (Personnel),
TANGEDCO (Tamil Nadu Generation
and Distribution Corporation),
No.144, Anna Salai,
Chennai - 600 002.

2. The Chief Engineer/Distribution
TANGEDCO (Tamil Nadu Generation
and Distribution Corporation)
Villuppuram Region
Villuppuram

3. The Superintending Engineer
TANGEDCO (Tamil Nadu Generation
and Distribution Corporation)
Kallakurichi EDC
Kallakurichi

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records in proceedings in Memo No.066638/G11/G111/2018-1 dated 01.08.2018 passed by the 1st respondent and quash the same as illegal.

For Petitioner : Mr.L.Chandrakumar
for K.Sasindran

For Respondents : Mr.M.Fakkir Mohideen
Standing Counsel

O R D E R

The order of transfer dated 01.08.2018, transferring the

writ petitioner from Chinnasalem, Kallakurichi Electricity Distribution Circle to the Thirvanammalai Electricity Distribution Circle as Assistant Executive Engineer is under challenge in the present writ petition.

2. The learned counsel on behalf of the writ petitioner states that on account of the certain allegations, the writ petitioner was issued with an order of transfer. Thus, the order of transfer was punitive in nature. The learned counsel for the writ petitioner further states that the writ petitioner had used his own chair in his official office as he was suffering from certain ailments. However, utilization of personal furniture in office premises are to be done with the permission of the competent authority and no public servant can purchase or keep his own furniture and infrastructure without the permission of the authorities in the public offices. However, the charges framed against the writ petitioner ended with an order of warning.

3. The learned counsel for the respondent states that some other charges are contemplated. However, as far as the order of transfer is concerned, this Court cannot issue a direction to retain the writ petitioner in the particular place or post. However, the learned counsel for the writ petitioner states that the impugned order of transfer was issued on account of certain charges and the said charges were already dropped.

4. This being the factum of the case, the writ petition can be considered based on his request. In this regard, the writ petitioner submitted a representation on 05.07.2018 to the respondent and the respondents are at liberty to consider the representation dated 05.07.2018 and pass orders on merits and in accordance with law as expeditiously as possible.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

kmm/ssb

To

1. The Chief Engineer (Personnel),
TANGEDCO (Tamil Nadu Generation
and Distribution Corporation),
No.144, Anna Salai,
Chennai - 600 002.

2. The Chief Engineer/Distribution
TANGEDCO (Tamil Nadu Generation
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Villuppuram Region
Villuppuram

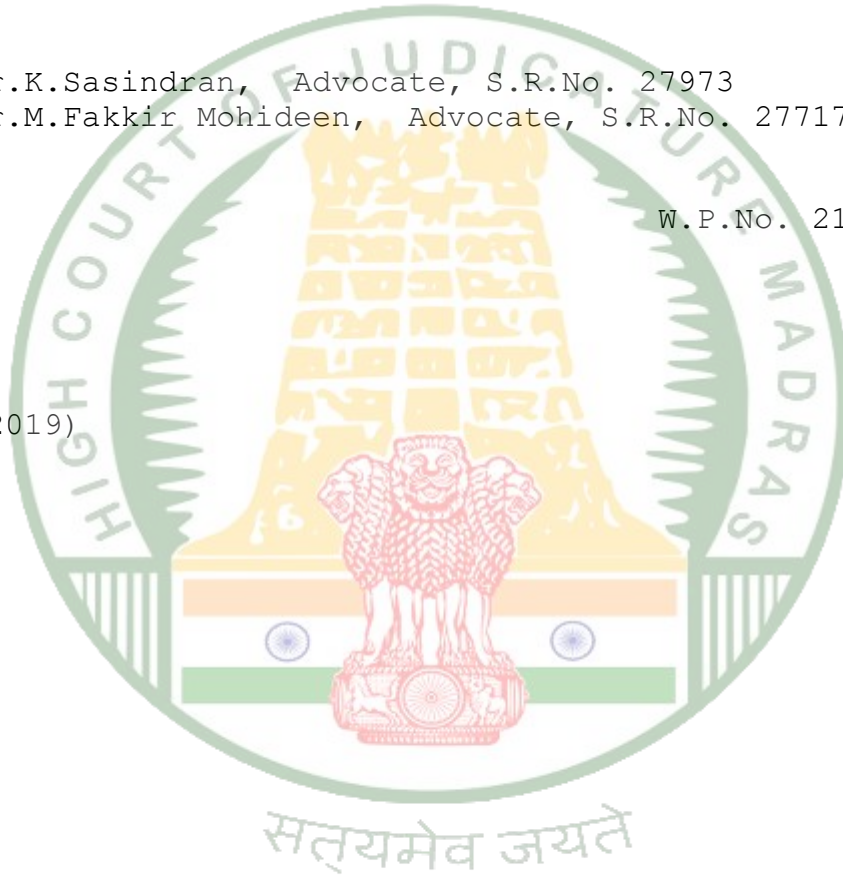
3. The Superintending Engineer
TANGEDCO (Tamil Nadu Generation
and Distribution Corporation)
Kallakurichi EDC
Kallakurichi

+1cc to Mr.K.Sasindran, Advocate, S.R.No. 27973

+1cc to Mr.M.Fakkir Mohideen, Advocate, S.R.No. 27717

W.P.No. 21149 of 2018

SPD (CO)
GN(22/05/2019)



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