



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.19511 of 2019

and

W.M.P. (MD) No.15958 of 2019

P.Sivasamy

... Petitioner

-Vs-

1.The Executive Engineer,
Operation and Maintenance Urban,
Tamil Nadu Generation and Distribution Corporation,
Karur.

2.The Assistant Engineer,
Operation and Maintenance Urban,
Tamil Nadu Generation and Distribution Corporation,
Karur West, Karur. ... 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 passed by the first respondent made in Kuu.Aaa.No.576-1/Nee.Bee/Ool/Koo.Nee.Maruthal/2019, dated 29.08.2019 and the consequential order of the second respondent made in Memo.No.AE/O&M/U/WEST/KRR/F-RWE/D- 89/2019, dated 03.09.2019.

For Petitioner : Mr.I.Velpradeep
For Respondents : Mr.G.Kasinathadurai
(TANGEDCO)

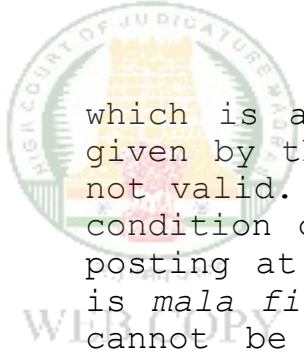
ORDER

This Writ Petition is filed, challenging the order of transfer dated 29.08.2019, on the ground that the petitioner is residing in Karur and he has aged mother and has to take care of her.

2.According to the petitioner, the distance from Karur to the transferred place, i.e., Kaniyalampatti, is 25 kms., and it is very difficult for him to attend work, leaving the family.

3.Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the respondents and perused the materials available on record carefully.

4.From the materials on record, it is seen that the petitioner was relieved, vide relieving order dated 03.09.2019,
<https://hcservices.ecourts.gov.in/hcservices/>



which is also impugned in the present Writ Petition. The reason given by the petitioner for setting aside the order of transfer is not valid. Transfer is not only an incident of service, but also a condition of service and no employee has any vested right to claim posting at a particular place of his choice. Unless the transfer is *mala fide* or in the nature of punishment, the order of transfer cannot be interfered with by this Court and the petitioner is relieved and joined in the transferred place.

5. In view of the same, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

Sub Assistant Registrar(CS)

Myr

+1CC TO MR.G.KASINATHADURAI, Advocate Sr. No. 92578

W.P. (MD) No.19511 of 2019

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GKG(CO)

TR(07.11.2019) 2P 2C