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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

W.P.No.3696 of 2021

and

W.M.P.Nos.4219 & 4220 of 2021

[Video Conferencing]

G.Elumalai

...Petitioner

vs.

1. The Chief Engineer / Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.800, Anna Salai,
Chennai. 600 002.

2. The Chief Engineer / Distribution,
Villupuram Electricity Distribution Circle,
Villupuram.

3. The Superintending Engineer,
Thiruvannamalai Electricity Distribution Circle,
Thiruvannamalai.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorari, calling for the entire records connected with the impugned order passed by 3rd respondent Memo.No.005995/173/G42/G.422/2021-1, dated 02.02.2021 and Quash the same.

For Petitioner : Ms.Thenmozhi Shivaperumal

For Respondents : Mr.R.Subramanian,
Standing Counsel for TANGEDCO

ORDER

By consent of the learned counsel on either side, this writ petition is taken up for final disposal and is disposed of by means of this order.

2. Mr.P.Subramanian, learned Standing Counsel for TANGEDCO takes notice on behalf of the respondents.



3. The petitioner has filed the present writ petition seeking to quash the impugned order of transfer passed by the 3rd respondent in Memo.No.005995/173/ G42/G.422/2021-1, dated 02.02.2021.

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4. The learned counsel appearing for the petitioner submitted that the petitioner is working as a wireman at Thiruvannamalai and he is having three children studying in Thiruvannamalai and his mother is a cancer patient taking treatment. The learned counsel would further submit that the petitioner is now transferred to Villupuram District and due to the above circumstances he is unable to move from Thiruvannamalai. The learned counsel further submitted that similarly placed person one S.Kollapan was transferred to the nearby District, the same benefit of transfer may be extended to the petitioner also. Therefore, he seeks to transfer the petitioner to any center place like Pennathur, Keelanathur and Nallavanpalayam.

5. The learned Standing Counsel appearing for the respondents submitted that the petitioner was working in the same place for more than ten years in different posts and that similarly placed person S.Kollappan was transferred to the nearby District only and he strongly oppose for allowing this writ petition.

6. This Court heard the submissions of the learned counsel on either side and perused the materials available on record.

7. Considering the facts and circumstances of the case and also the fact that similarly placed person one S.Kollapan was transferred to the nearby District only, the respondents are directed to transfer the petitioner to any place like Pennathur, Keelanathur and Nallavanpalayam, or within 50 Kms from his place viz., Thiruvannamalai, subject to the availability of the vacancies in those places., within a period of eight weeks thereafter and communicate the decision taken, to the petitioner herein.

8. The Writ Petition is disposed of with the above directions. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar



To:

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Chennai. 600 002.
2. The Chief Engineer / Distribution,
Villupuram Electricity Distribution Circle,
Villupuram.
3. The Superintending Engineer,
Thiruvannamalai Electricity Distribution Circle,
Thiruvannamalai.

+1cc to M/s.Thenmozhi Shivaperumal, Advocate, S.R.No.41266
+1cc to Mr.R.Subramanian , Advocate, S.R.No.41251

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BS[co]
NSK 23/09/2021