



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No.11976 of 2021
W.M.P. Nos.12747 & 12748 of 2021

N.Senthilkumar

... Petitioner

Versus

- 1.The Chief Engineer (Personnel)
TANGEDCO (Tamil Nadu Generation and Distribution Corporation Ltd.,)
No.114, Anna Salai,
Chennai - 600 002.
- 2.The Chief Engineer,
Mettur Thermal Power Station-II,
Mettur Dam - 636 406.
- 3.The Superintendent Engineer (Purchase & Administration),
Mettur Thermal Power Station-II,
Mettur Dam - 636 406.
- 4.The Superintendent Engineer,
TANGEDCO (Tamil Nadu Generation and Distribution Corporation Ltd.,)
TEDC,
Tirunelveli - 11.
- 5.The Stores Controller,
Central Stores,
Mettur Thermal Power Station-II,
Mettur Dam-636 406.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the order of the 1st respondent dated 06.05.2021 in Circular No.024345/131/G34/2021 and quash the same.



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For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.Anand Gopalan
Standing Counsel

O R D E R

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order of the 1st respondent dated 06.05.2021 in Circular No.024345/131/G34/2021 and quash the same.

2.The petitioner who is working as Store Custodian (Grade-II), Mettur, Salem District is transferred to Tirunelveli. The learned counsel for the petitioner submitted that there are vacancies in nearby places and the petitioner could have been posted in a near-by place if really the transfer is due to administrative reasons.

3.The learned counsel appearing on behalf of the respondents on instructions submitted that there are vacancies in Vellore Circle as well as in Coimbatore Circle. It is further stated that the vacancy in Dharmapuri and Krishnagiri falls within Vellore Circle and that the petitioner will be considered in any of the places, provided the petitioner should report to duty at Tirunelveli and make a request for re-transfer for posting in any of the vacancies in Krishnagiri or Dharmapuri. The learned counsel for the respondent also insisted on the petitioner to withdraw the allegations against the respondents regarding malafides.

4.The learned counsel appearing for the petitioner states that the petitioner is unable to earn gross salary and that therefore he is willing to accept the posting either in Dharmapuri or Krishnagiri and that the petitioner is also willing to withdraw the allegations made in this writ petition.

5.Having regard to the facts and circumstances and the submissions of the counsels on the either side, this writ petition is disposed of with a direction to the petitioner to report to duty as per the impugned order passed by the 1st respondent dated 06.05.2021, within a period of two weeks from the date of receipt of a copy of this order. After reporting to duty by the petitioner, he shall submit a representation for posting having either in Dharmapuri or in Krishnagiri and the respondents shall consider the petitioner's request to



accommodate the petitioner in any of the vacancies as admitted by the learned counsel for the respondents i.e., either in Dharmapuri or Krishnagiri, within a period of two weeks from the date of such representation. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssr
To

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Mettur Dam-636 406.

+1cc to Mr.K.Selvaraj, Advocate Sr.29923
+1cc to Mr.T.S.Gopalan, Advocate Sr.29684

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ev[co]
srg 09/08/2021