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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.16817 of 2017

A.C.Vijaysekaran

... Petitioner

Vs.

1. The Chairman, TANGEDCO,
No.144, Annasalai, Chennai-2.
2. The Vigilance Officer,
No.144, 10th floor, TANGEDCO,
Annasalai, Chennai-2.
3. The Assistant Engineer,
Operation and maintenance, TANGEDCO,
Sivan Kovil Street, Trustpuram,
Kodambakkam, Chennai-24.

4. A.C.Rajasekaran

.... Respondents

PRAYER: Writ petition filed under Section 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to take action against the third respondent and other officials who have colluded with fourth respondent in transfer the name in respect of service connection No.225-012-612 in the name of fourth respondent, based on the petitioner's complaint dated 08.03.2017.

For petitioner : Mr.S.Angamuthu

For respondents : Mr.Jaivenkatesh TNEB
for R1 to R3

No appearance for R4



ORDER

This Writ petition has been filed seeking to issue a Writ of Mandamus directing the second respondent to take action against the third respondent and other officials who have colluded with fourth respondent in transfer the name in respect of service connection No.225-012-612 in the name of fourth respondent, based on the petitioner's complaint dated 08.03.2017.

2. According to the petitioner, he has not given no objection certificate to transfer the service connection in favour of his brother, namely the fourth respondent, however, the officials of the respondents had transferred the service connection in favour of his brother. Hence, he had given a complaint dated 08.03.2017 before the second respondent Board, by making allegation that, without any no objection certificate from the petitioner, the service connection was transferred in favour of the fourth respondent by the third respondent and hence action to be taken against the third respondent. The contention of the petitioner is that the second respondent has not taken any action, based on his complaint dated 08.03.2017 and hence, he has filed this writ petition.

3. The learned counsel appearing for the respondent Board submitted that the petitioner has given No objection letter to transfer the service connection in favour of the fourth respondent and based on the documents, as required by the Board, the service connection was transferred.

4. The petitioner has filed documents in the typed set of papers and one of the documents shows that based on the request made by the petitioner, under the Right to Information Act, 2005, the Public Information Officer, K.K.Nagar Division has furnished the informations through his letter dated 07.07.2014. In the above said letter, all the informations asked by the petitioner were given and one such information is "No objection letter written in favour of Thiru A.C.Rajasekaran (4th respondent herein) by Tmt.C.Sakunthala and Thiru A.V.Vijayasekaran (petitioner herein)" was produced by the applicant for name transfer before the Board. Therefore, based on the documents, as required by the respondent Board, the service connection was transferred in favour of the fourth respondent.

5. According to the petitioner, he has not given any such no objection letter, as stated by the Board. When no objection letter has been disputed by the petitioner, it is for him to seek remedy before the appropriate forum for taking appropriate action. At this stage, this court cannot go into this aspect, under Article 226 of the Constitution of India.



Hence, this writ petition cannot be entertained.

6. Accordingly, this writ petition is dismissed. No costs.

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Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

mst

To

1. The Chairman, TANGEDCO,
No.144, Annasalai, Chennai-2.
2. The Vigilance Officer,
No.144, 10th floor, TANGEDCO,
Annasalai, Chennai-2.
3. The Assistant Engineer,
Operation and maintenance, TANGEDCO,
Sivan Kovil Street, Trustpuram,
Kodambakkam, Chennai-24.

+1cc to Mr.S.Angamuthu, Advocate, S.R.No.35754
+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.35898

W.P.No.16817 of 2017

JPL(CO)
CB(18/08/2021)