



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.13632 of 2021

&

WMP Nos.10568 & 10569 of 2021

WEB COPY

R.Samuthirapandian

... Petitioner

Vs.

1.The Chief Engineer/Personnel(a/c),
The Tamilnadu Generation and Distribution Corporation Ltd.,
Administrative Branch,
144, Anna Salai,
Chennai-2.

2.The Chief Engineer,
The Tamilnadu Generation and Distribution Corporation Ltd.,
Non-Conventional Energy Sources,
144, Anna Salai,
Chennai-2.

3.The Superintending Engineer,
Non-Conventional Energy Sources,
Tirunelveli Circle,
Tirunelveli.

4.The Executive Engineer/Operation,
Non-Conventional Energy Sources,
Sanganeri Division,
Sanganeri,
Tirunelveli District.

5.R.Sreekala

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned transfer order dated 26.07.2021 passed in Memo No.048849/G.111/2021/1 by the first respondent transferring the petitioner from the Wind Farm/Pazhavor to the Maintenance/400 KV.Solar Power SS/Kamuthi and quash the same award Cost.

For Petitioner : Mr.M.Ajmal Khan, Sr. counsel for
Mr.S.Arunachalam
For Respondents : Mr.T.Sakthi Kumaran
Standing Counsel for R1 to 4



ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Certiorari calling for the records relating to the impugned transfer order dated 26.07.2021 passed in Memo No.048849/G.111/2021/1 by the first respondent transferring the petitioner from the Wind Farm/Pazhavor to the Maintenance/400 KV.Solar Power SS/Kamuthi and quash the same.

2. Heard the learned Senior counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents 1 to 4.

3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, he made an application on 14.07.2021 requesting to consider for transfer to the place at Sangneri, which is also within the same Sangneri Division of Thirunelveli circle, wherein, the petitioner is presently working in the Tirunelveli Circle.

5.The learned counsel for the petitioner would submit that a vacancy is likely to arise in the said place, the respondents may be directed to consider the same after taking note of the petitioner's representation dated 14.07.2021.

6. The learned Standing counsel for the respondents 1 to 4 would submit that the petitioner's representation would be considered by the respondents sympathetically if such any vacancy arise in the said place by taking note of the difficulty faced by the petitioner working at a far away place.

7. In view of the statement made by the learned Standing counsel appearing for the respondents 1 to 4, as there is no vacancy available at present in the said place, however, as and when any vacancy arises in future, the respondents are directed to consider the request of the petitioner sympathetically and to take an appropriate decision with regard to the transfer of the petitioner at Sangneri Division of Thirunelveli circle.

8. With the above observation, the writ petition stands disposed of. No costs. Consequently, connected WMPs are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The Chief Engineer/Personnel(a/c),
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Chennai-2.

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3.The Superintending Engineer,
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Tirunelveli Circle,
Tirunelveli.

4.The Executive Engineer/Operation,
Non-Conventional Energy Sources,
Sanganeri Division,
Sanganeri,
Tiruvelveli District.

+1 CC to M/s.S.ARUNACHALAM, Advocate (SR-26030[F] dated
12/08/2021)

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-26120[F] dated
12/08/2021)

W.P (MD) No.13632 of 2021
11.08.2021

PS (CO)
KB(24.08.2021) 3P 7C