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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.01.2021
CORAM:
THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P.(MD)No.11831 of 2018
and W.M.P.(MD) Nos.10766 & 10767 of 2018
(Through Video Conference)

R.M.Sivabagiam ... Petitioner

Vs

1. The Chairman cum Managing Director,
   TANGEDCO,
   10th Floor, NPKRR Maaligai,
   144, Anna Salai,
   Chennai 600 002

2. The Secretary,
   Board Office, Secretariat Branch,
   9th Floor, NPKRR Maaligai,
   144, Anna Salai,
   Chennai 600 002

3. Mrs.Nallammal
4. Mr.Senthilnathan ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the transfer impugned order vide Memorandum No.62845/A1/A2/A12/2017-1 dated 30.05.2018 passed by the 2nd respondent and quash the same as illegal insofar as the petitioner is concerned and to direct the 2nd respondent herein to post the petitioner as Deputy Financial Controller Office of the Chief Engineer Distribution, Madurai Region, Madurai.

For Petitioner : Mr.P.M.Vishnuvarthanan

For RR 1 & 2 : Mr.T.Sakthikumaran,
Standing counsel

For RR 3 & 4 : No Appearance

O R D E R

The petitioner is aggrieved against the transfer order dated 30.05.2018 and has raised medical grounds for being retained in the same position. The petitioner, is now employed as Deputy Financial Controller at Madurai Electricity Distribution Circle and was posted to Thirupathur Electricity Distribution Circle, Vellore Region through the impugned order dated 30.05.2018.

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2. The learned counsel for the petitioner submitted that pending writ petition, the petitioner had met with a major road accident and was hospitalized for more than one year.

3.Mr.T.Sakthikumaran, learned standing counsel for the respondents 1 & 2, on instructions, submitted that taking into consideration of the medical condition of the petitioner, the Board had retained the petitioner in her present station at Madurai Electricity Distribution Circle itself, where she is continuing her service.

4. In view of the decision taken by the respondents, no effective orders can be taken in the writ petition challenging the original transfer order dated 30.05.2018.

5. Recording the submissions made by the learned standing counsel for the respondents, the writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

STS

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 Chairman cum Managing Director,
   TANGEDCO,10th Floor, NPKRR Maaligai,
   144, Anna Salai,
   Chennai 600 002

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2. The Secretary,
Board Office, Secretariat Branch,
9th Floor, NPKRR Maaligai,
144, Anna Salai,
Chennai 600 002

+1 CC to Mr.P.M.VISHNU VARTHANAN, Advocate (SR-1262[F] dated 19/01/2021)

+1 CC to Mr.T.SAKTHI KUMARAN, Advocate (SR-1232[F] dated 19/01/2021)

Order made in
W.P.(MD)No.11831 of 2018
Dated:
18.01.2021

KM (17.02.2021) 3P 5C

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