



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)Nos.11006 to 11016 of 2018

and W.M.P. (MD) Nos.10116 to 10126 of 2018

(Through Video Conference)

WEB COPY

T.Sathish Kumar	... Petitioner in WP(MD). 11006/ 2018
T.Sankar Ganesh,	... Petitioner in WP(MD). 11007/ 2018
K.Veerapandiyan	... Petitioner in WP(MD). 11008/ 2018
N.Raja Sekaran	... Petitioner in WP(MD). 11009/ 2018
K.Karthik	... Petitioner in WP(MD). 11010/ 2018
Y.Stalin,	... Petitioner in WP(MD). 11011/ 2018
M.Periyasamy	... Petitioner in WP(MD). 11012/ 2018
K.B.Shanmugam	... Petitioner in WP(MD). 11013/ 2018
A.L.Ramesh	... Petitioner in WP(MD). 11014/ 2018
S.Murugesh,	... Petitioner in WP(MD). 11015/ 2018
Dinesh Kumar.B	... Petitioner in WP(MD). 11016/ 2018

Vs

1.Bharat Heavy Electricals Limited,
(Government of India Undertaking),
Human Resources Management,
Represented by its
Deputy General Manager,
Building No.24,
Trichy 620 014

2.Bharat Heavy Electricals Limited,
Represented by
Senior Engineer(SR),
Tubular Products / BPN,
BHEL,Trichy 620 014

... Respondents in all WPs

Prayer in WP(MD). 11006 of 2018:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the office order: TRANS/1014/2018 dated 10.05.2018 passed by the 1st respondent and the relieving order: TRANS/1014/2018 dated 10.05.2018 issued by the 1st respondent quash the same and consequently forbear the respondents from transferring the petitioner.

Prayer in WP(MD). 11007 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of

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Certiorarified Mandamus calling for the records relating to the office order: TRANS / 1014 / 2018 dated 10/05/2018 passed by the 1st respondent and the relieving order: TRANS / 1014 / 2018 dated 10/05/2018 issued by the 1st respondent quash the same and consequently forbear the respondents from transferring the petitioner.

Prayer in WP(MD). 11008 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus calling for the records relating to the office order :TRANS/1014/2018 dated 10.05.2018 passed by the 1st respondent and the relieving order TRANS/1014/2018 dated 10.05.2018 issued by the 1st respondent quash the same and consequentially forbear the respondents from transferring the petitioner

Prayer in WP(MD). 11009 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records to the office order: TRANS / 1014 / 2018 dated 10/05/2018 passed by the 1st respondent and the relieving order: TRANS / 1014 / 2018 dated 10/05/2018 issued by the 1st respondent quash the same and consequently forbear the respondents from transferring the petitioner.

Prayer in WP(MD). 11010 of 2018 :

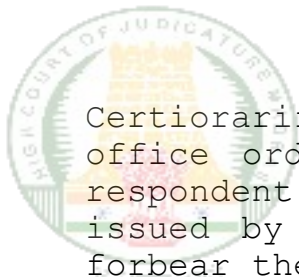
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus calling for the records relating to the office order :TRANS/1014/2018 dated 10.05.2018 passed by the 1st respondent and the relieving order TRANS/1014/2018 dated 10.05.2018 issued by the 1st respondent quash the same and consequentially forbear the respondents from transferring the petitioner

Prayer in WP(MD). 11011 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records to the office order: TRANS / 1014 / 2018 dated 10/05/2018 passed by the 1st respondent and the relieving order: TRANS / 1014 / 2018 dated 10/05/2018 issued by the 1st respondent quash the same and consequently forbear the respondents from transferring the petitioner.

Prayer in WP(MD). 11012 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of



Certiorarified Mandamus calling for the records relating to the office order :TRANS/1014/2018 dated 10.05.2018 passed by the 1st respondent and the relieving order TRANS/1014/2018 dated 10.05.2018 issued by the 2nd respondent quash the same and consequentially forbear the respondents from transferring the petitioner

Prayer in WP(MD). 11013 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the office order: TRANS / 1014 / 2018 dated 10/05/2018 passed by the 1st respondent and the relieving order: TRANS / 1014 / 2018 dated 10/05/2018 issued by the 1st respondent quash the same and consequently forbear the respondents from transferring the petitioner.

Prayer in WP(MD). 11014 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus calling for the records relating to the office order :TRANS/1014/2018 dated 10.05.2018 passed by the 1st respondent and the relieving order TRANS/1014/2018 dated 10.05.2018 issued by the 1st respondent quash the same and consequentially forbear the respondents from transferring the petitioner

Prayer in WP(MD). 11015 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records to the office order: TRANS / 1014 / 2018 dated 10/05/2018 passed by the 1st respondent and the relieving order: TRANS / 1014 / 2018 dated 10/05/2018 issued by the 1st respondent quash the same and consequently forbear the respondents from transferring the petitioner.

Prayer in WP(MD). 11016 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus calling for the records relating to the office order :TRANS/1014/2018 dated 10.05.2018 passed by the 1st respondent and the relieving order TRANS/1014/2018 dated 10.05.2018 issued by the 1st respondent quash the same and consequentially forbear the respondents from transferring the petitioner

In all writ petitions:

For Petitioners : Mr.G.Ethirajulu

For RR 1 & 2 : Mr.A.V.Arun,

Standing Counsel



C O M M O N O R D E R

Since the issue involved in all these writ petitions are one and the same, they are disposed of by this common order.

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2. Aggrieved against the transfer orders, transferring the petitioners from their existing stations to Goindwal, Punjab, these writ petitions have been filed.

3. The case of the respondents seems to be that the petitioners' had not co-operated with the Organization in undergoing various training and tests relating to high pressure boiler welding, requiring stringent procedures to be followed therein.

4. When these writ petitions were pending, this Court by an interim order dated 16.05.2018, had passed a conditional order directing the petitioners to undergo the training session, which was held on 17.05.2018 at Welding Technology Centre, Bharat Heavy Electricals Limited (BHEL), Tiruchirappalli.

5. Mr.A.V.Arun, learned standing counsel for the respondents would submit that, pursuant to the interim orders of this Court, dated 16.05.2018, the petitioners had undergone the training session and have also completed the same successfully. Consequently, the respondents have also chosen to retain the petitioners in their place of work for the present.

6. In view of the decision taken by the respondents herein, as such no effective orders can be passed in the present writ petitions. Accordingly, the writ petitions stand closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

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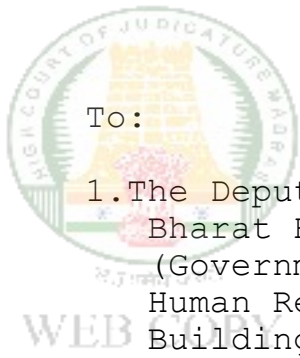
/ /2021

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.

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To:

1.The Deputy General Manager,
Bharat Heavy Electricals Limited,
(Government of India Undertaking),
Human Resources Management,
Building No.24, Trichy 620 014

2.The Senior Engineer(SR),
Bharat Heavy Electricals Limited,
Tubular Products / BPN,
BHEL,Trichy 620 014

Common Order made in
W.P. (MD) Nos.11006 to 11016 of 2018
18.01.2021

VB (12.02.2021) 5P 3C