



W.P. No.31957 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

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DATED: 29.11.2022

CORAM:

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

**W.P. No.31957 of 2022**

**and**

**W.M.P. Nos.31397 and 31399 of 2022**

S.Nagaraj

...Petitioner

vs.

1. The Chief Engineer / Personnel (FAC)  
Tamil Nadu Generation and Distribution  
Corporation Limited  
ADM Branch, NPKRR Maaligai,  
144, Anna Salai,  
Chennai – 600 002.

2. The Chief Engineer,  
Tamil Nadu Generation and Distribution  
Corporation Limited  
Distribution, Villupuram Region,  
Villupuram District.

3. The Superintending Engineer  
Tamil Nadu Generation and Distribution  
Corporation Limited  
Villupuram Electricity Distribution Circle,  
Villupuram District 605 602.

4. S. Velmurugan

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for records relating to the transfer order of the 1<sup>st</sup> respondent by its Memo No.070847/677/G.52/G.521/2022, dated 24.11.2022 and quash the same and further direct the 1<sup>st</sup> respondent to retain the petitioner at Kandamangalam Revenue Branch in view of the petitioner's representation dated 25.11.2022.

For petitioner : Mr.S. Arivazhagan  
For respondent : Mr.P. Subramaniyan,  
Standing counsel for TANGEDCO

### **ORDER**

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

2. Mr.P. Subramaniyan, learned Standing counsel accepts notice for the respondents.

3. This writ petition has been filed challenging the impugned Memo, dated 24.11.2022 issued by the 1<sup>st</sup> respondent under which the petitioner has been transferred from Kandamangalam to Villupuram.

4. The petitioner claims that he had met with an accident and had suffered spinal cord injury and therefore, it will be difficult for him to work at the place of transfer. The petitioner has filed the medical reports



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/certificates along with this writ petition to substantiate his case. The petitioner has also given a representation on 25.11.2022 subsequent to the issuance of the impugned Memo, dated 24.11.2022 stating the difficulties faced by him on account of his spinal cord injury and on that ground he had requested the respondents to retain him at Kandamangalam Revenue Branch itself. Admittedly, Kandamangalam Revenue Branch is not far away from Villupuram. It is only 28 kms away, even according to the petitioner.

5. The learned Standing counsel for the respondents would submit that the transfer order has been issued only for administrative reasons. Further, he would contend that the petitioner has been working at Kandamangalam Revenue Branch from 2013 onwards.

6. However, considering the difficulties expressed by the petitioner on account of his spinal cord injury, which is also supported by the medical records / certificates, which have been enclosed along with this writ petition, this Court is of the considered view that no prejudice would be caused to the respondents, if the petitioner's representation dated 25.11.2022 seeking for his retention at Kandamangalam Revenue Branch is considered on merits and in accordance with law, within a short time by



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the respondents.

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7. Till final orders are passed by the respondents, this Court is of the considered view that due to the difficulties expressed by the petitioner on account of his medical condition, the respondents shall not disturb the petitioner from the existing place of his work at Kandamangalam Revenue Branch.

8. For the foregoing reasons, this Court directs the 1<sup>st</sup> respondent to pass final orders on merits and in accordance with law on the petitioner's representation, dated 25.11.2022 requesting the respondents to retain him at Kandamangalam Revenue Branch, within a period of two weeks from the date of receipt of a copy of this order.

9. Till final orders are passed, the respondents shall retain the petitioner at Kandamangalam Revenue Branch.

10. With the aforesaid directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

**29.11.2022**



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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order  
vsi2

To

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**ABDUL QUDDHOSE, J.**

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