



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P (MD)No.36 of 2022

and

W.M.P (MD)Nos.21 and 23 of 2022

T.Wilson

: Petitioner

Vs.

The Chief Engineer Personal,
Tamil Nadu Electricity Board,
8th Floor, N.P.K.R.R.Maligai,
144, Annasalai,
Chennai - 600 002.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari calling for the records of the impugned order of transfer passed by the respondent in his proceedings Memo No.080967/G11/G.111/2021-5, dated 28.12.2021 issued by the respondent wherein the petitioner was transferred from Kulasekaram, Kanyakumari Electricity Distribution Circle to O.Thulukapatty, Tirunelveli Electricity Distribution Circle and quash the same.

For Petitioner : Mr.K.Sathiya Singh

For Respondent : Mr.S.Arivalagan

ORDER

This writ petition is filed challenging the transfer order of the petitioner dated 28.12.2021.

2.The learned counsel for the petitioner submits that the petitioner joined in the respondent Electricity Board in the year 1999 and when the petitioner was working as Assistant Executive Engineer, Kulasekaram, Kanyakumari district, on 28.12.2021, vide impugned order the petitioner has been transferred from Kulasekaram, Kanyakumari district to O.Thulukapatty, Tirunelveli district, which is 150 Kms away from his present place.

3.The learned Counsel for the petitioner further submits that the petitioner has to take care of his aged mother, who is sick and



requires constant care and he has two school going children. Further, there are several other employees, who are junior to the petitioner, but this petitioner alone has been transferred.

4.The learned Counsel for the respondent submits that the petitioner has completed three years of service in the said place and therefore, on administrative ground only he has been transferred from Kulasekaram to O.Thulukapatty. Further, several other employees were also transferred along with petitioner. Therefore, the learned Counsel prays for dismissal of the writ petition.

5.The petitioner, who was working as Assistant Executive Engineer, Kulasekaram was transferred to Tirunelveli Distribution circle vide impugned transfer order dated 28.12.2021. According to the respondent, the petitioner has completed three years of service in that particular station and along with the petitioner few others were also transferred.

6.Transfer is incidental and also a condition of service. The Hon'ble Supreme Court in a catena of decisions has held that the transfer on administrative grounds cannot be interfered with as a matter of routine. The petitioner has not made out any case to interfere with the impugned order. Therefore, this Court is not inclined to entertain this writ petition.

7.In the light of the above, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk

To
The Chief Engineer Personal,
Tamil Nadu Electricity Board,
8th Floor, N.P.K.R.R.Maligai,
144, Annasalai, Chennai - 600 002.

+1 CC to M/s.S.ARIVALAGAN, Advocate (SR-3822[F] dated 02/02/2022)

W.P (MD) No.36 of 2022
01.02.2022

RK(17/03/2022) 2P 3C

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