



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No. 610 of 2022

and

W.M.P. (MD) Nos. 491 and 493 of 2022

and

Cont. P. (MD) No. 1266 of 2021

in

W.P (MD) No. 3543 of 2021

W.P (MD) No. 610 of 2022

A.Zahir Hussain

... Petitioner

-Vs-

1. The Chairman / Managing Director,
TANGEDCO,
144, Anna Salai,
Chennai.
2. The Chief Engineer (Personal),
TANGEDCO,
144, Anna Salai,
Chennai - 600 002.
3. P.Saravanan,
Assistant Executive Engineer / Shift,
230 KV Sub Station,
Kinnimangalam,
Madurai.
4. R.Ayyakannu,
Assistant Executive Engineer/MRT
Pasumalai, Madurai.
5. A.Senthilkumaran,
Assistant Executive Engineer / O&M,
North / Melur,
Madurai.
6. K.R.Ratha,
Assistant Executive Engineer / Shift,
230 KV Sub Station / Kavanur,
Paramakudi, Ramnad.



7. R.Nandhakumar,
Assistant Executive Engineer / General,
Central Office, K.Pudur,
Madurai Metro,
Madurai.

8. T.Chandran,
Assistant Executive Engineer,
Operation and Maintenance / Kamuthi,
Ramnad Electricity Distribution Circle,
Ramnad.

... Respondents

PRAYER: Writ Petition 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 proceedings of the impugned order in Memo No.080968/G.11/G.111/2021-9, Memo No.080968/G.11/G.111/2021-1 dated 28.12.2021 and consequential impugned order in Memo No.081729/G.11/G.111/2021-1 dated 31.12.2021 on the file of the second respondent and quash the same and further directing the second respondent to transfer the petitioner in the post of Assistant Executive Engineer, Madurai Electricity Distribution Circle, TANGEDCO in consideration of his online application dated 05.01.2022.

Cont. P. (MD) No. 1266 of 2021

A.Zahir Hussain

.. Petitioner / Petitioner

-Vs-

R.Krishnamoorthy
The Chief Engineer (Personal),
TANGEDCO,
144, Anna Salai,
Chennai - 600 002.

.. Contemnor / 1st respondent

PRAYER : Contempt Petition has been filed under Section 11 of contempt of Courts Act, 1971, to punish the respondent for the willful disobedience of the order of this Court made in W.P(MD) No.3543 of 2021, dated 22.07.2021.

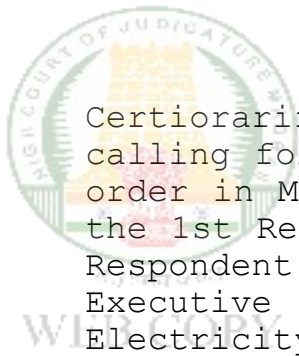
For Petitioner : Mr.G.Prabu Rajadurai
(in both WP & Cont.P.)

For Respondents : Mr.Arivalagan
(in both WP & Cont.P.)

Prayer in WP(MD) . 3543/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-3. To issue a writ of

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Certiorarified Mandamus, Writ or direction in the nature of Writ, calling for the records relating to the proceedings of the Impugned order in Memo No.082766/G.11/2021 5 dated 17.02.2021 on the file of the 1st Respondent and quash the same and further directing the 1st Respondent to transfer the petitioner in the post of Assistant Executive Engineer (Electrical) in Thirumangalam, Madurai Electricity Distribution Circle, TANGEDCO in Consideration of the Petitioner's online application dated 02.01.2021 and pass such further or other orders as this Hon'ble court may deem fit proper in the said circumstances of this case and thus render justice.

Prayer in WMP(MD) . 491/ 2022 :

Pleaded dispense with the production of the original copy of the Impugned Order in Memo No.080968/G.11/G.111/2021-9, Memo No.080968/G.11/G.111/2021-1 dated 28/12/21 and consequential Impugned Order in Memo No.081729/G.11/G.111/2021-1 dated 31/12/21 on the file of the 2nd Respondent for the present and thus render justice.

Prayer in WMP(MD) . 493/ 2022 :

Pleaded stay the proceedings of the Impugned Order in Memo No.080968/G.11/G.111/2021-9, Memo No.080968/G.11/G.111/2021-1 dated 28/12/21 and consequential Impugned Order in Memo No.081729/G.11/G.111/2021-1 dated 31/12/2021 on the file of the 2nd Respondent pending disposal of the above Writ Petition

COMMON ORDER

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the impugned order in Memo No.080968/G.11/G.111/2021-9, Memo No.080968/G.11/G.111/2021-1 dated 28.12.2021 and consequential impugned order in Memo No.081729/G.11/G.111/2021-1, dated 31.12.2021, on the file of the second respondent and quash the same and further directing the second respondent to transfer the petitioner in the post of Assistant Executive Engineer, Madurai Electricity Distribution Circle, TANGEDCO, in consideration of his online application, dated 05.01.2022.

2. The grievances of the petitioner is that the petitioner has already made a request for transfer from Paramakudi, Ramanathapuram Electricity Distribution Circle to Thirumangalam Madurai Electricity Distribution Circle. Repeatedly, the petitioner requesting the respondents to consider the same and also filed a Writ Petition before this Court. This Court by order dated 22.07.2021 in W.P. (MD) No. 3543 of 2021 directed the first respondent to consider the petitioner for transfer from Paramakudi, Ramanathapuram Electricity Distribution Circle to Thirumangalam Madurai Electricity Distribution Circle or within the Madurai Electricity Distribution Circle, if there is any vacancy available in the post of Assistant



Executive Engineer or consider him for transfer in the first vacancy that will arise in future.

3. Despite the earlier order passed by this Court, the respondents have accommodated five other persons instead of accommodating the petitioner in Madurai. Therefore, the petitioner filed a Contempt Petition before this Court in Cont.P.(MD) No. 1266 of 2021.

4. When the Writ Petition and the Contempt Petition are taken up for hearing today, Mr.Arivalagan, learned counsel appearing for the respondents has produced an order of transfer, transferring the petitioner, who is now working at Paramakudi, Ramanathapuram Electricity Distribution Circle, to Madurai Electricity Distribution Circle, vide proceedings dated 21.01.2022.

5. In view of the above development, the Writ Petition as well as Contempt Petition are closed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

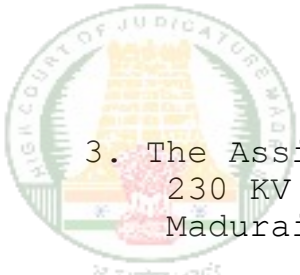
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Note :

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 Chairman / Managing Director,
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7. The Assistant Executive Engineer / General,
Central Office, K.Pudur,
Madurai Metro, Madurai.
8. The Assistant Executive Engineer,
Operation and Maintenance / Kamuthi,
Ramnad Electricity Distribution Circle,
Ramnad.

+1 CC to M/s.S.ARIVALAGAN, Advocate (SR-3821[F] dated 02/02/2022)

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-4042[F] dated 03/02/2022

ORDER MADE IN
W.P (MD) No. 610 of 2022
and
W.M.P. (MD) Nos. 491 and 493 of 2022
and
Cont. P. (MD) No. 1266 of 2021
in
W.P (MD) No. 3543 of 2021
02.02.2022

PKP/22.03.2022/5P/11C