



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.24318 of 2019

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S.Vellaisamy

... Petitioner

Vs.

- 1.The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited,
Administrative Branch,
TANGEDCO,
Anna Salai,
Chennai.
- 2.The Chief Engineer/Distribution,
Tamil Nadu Generation and Distribution,
Corporation Limited,
Trichy Region,
Thennur,
Trichy-17.
- 3.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation and Limited,
Pudukkottai Electricity Distribution Circle,
Pudukkottai - 62 2 001.
- 4.The Executive Engineer (O&M),
Tamil Nadu Generation and Distribution
Corporation Limited, Thirumayam,
Pudukkottai District.

...Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's online Request Transfer Application submitted by him to the respondents 3 and 4 on 03.07.2019 bearing application No. RT0719-2196 seeking request transfer from Ponnamaravathy Sub-Division to Thirumayam Sub-Division, in the light of the instructions issued by the 2nd respondent in Ku.No.009139/1174/Nipi.A/A.1/2019 -1 dated 01.10.2019, within a time frame that may be fixed by this Court.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.S.Arivalagan



ORDER

The relief sought for in the present writ petition is to direct the respondents to consider and pass appropriate orders on the Request Transfer Application.

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2.Transfer *per se* cannot be claimed as a absolute right. Transfer is an incidental to service, *moreso*, a condition of service. Thus, the Request Transfer Applications are made based on certain personal grievance by the employee. Such applications are to be decided by the competent authorities by conducting an enquiry or otherwise. However, the High Court cannot direct the authorities to accept the Request Transfer Application or to reject the same and the said decision is to be taken independently by the authorities.

3.In the present case, the petitioner has submitted the Request Transfer Application on various grounds therefore, the respondents are at liberty to decide the same on merits and in accordance with law.

4.In view of the above, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

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To

1.The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited,
Administrative Branch,
TANGEDCO,
Anna Salai,
Chennai.

2.The Chief Engineer/Distribution,
Tamil Nadu Generation and Distribution,
Corporation Limited,
Trichy Region,
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3.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation and Limited,
Pudukkottai Electricity Distribution Circle,
Pudukkottai - 62 2 001.

4.The Executive Engineer (O&M),
Tamil Nadu Generation and Distribution
Corporation Limited, Thirumayam,
Pudukkottai District.

+1 CC to M/s.A.RAHUL, Advocate (SR-22299[F] dated 28/04/2022)

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RK(31/05/2022) 3P 6C