



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.07.2023

CORAM

**THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN**

**W.P.No. 22370 of 2016**

M.Manoharan

... Petitioner

**..Vs..**

1. Managing Director  
Tamil Nadu Water Supply and Drainage Board  
Chennai – 600 005.
2. The Chief Engineer (Incharge)  
T.W.A.D.Board  
Bharathi Park Road  
Saibaba Colony,  
Coimbatore – 641 043.
3. Superintending Engineer  
T.W.A.D Board  
Coimbatore Nilgiris Circle  
Vilankurichi Road  
Coimbatore – 641 004.
4. The Chief Engineer  
T.W.A.D Board  
Coimbatore – 18.

... Respondents





second respondent, the Chief Engineer (Incharge), T.W.A.D Board, at that particular point of time. His benefits had been deducted with salary for 153 days from 01.08.26 till 02.01.2007. Out of those 153 days, 10 days salary had been however paid, consequent to the fact that the said period was treated as compulsory wait by the respondents herein.

3. Brief facts would indicate that the petitioner was originally issued with transfer order from Erode to Coimbatore. The transfer order was not issued within time and he was asked to wait further orders. He was then issued with further transfer order from Erode to Salem. Questioning that particular order, the petitioner had earlier filed W.P.No. 36608 of 2006 which came to be dismissed by an order dated 18.12.2006 by a learned Single Judge of this Court. The petitioner was directed to go over to Salem and join duty.

4. In the interregnum period, the petitioner however did not go over to his office at Erode. He stayed at home. He cannot get salary if he stayed at home. He should discharge official duty at some place or the other. The transfer order to Salem was upheld and subsequently, the





6. Taking into consideration, the fact that the respondents

7. The respondents are therefore directed to rework that particular

8. The impugned order is set aside. A direction is therefore issued

**9.** In the view of the above direction, the Writ Petition is disposed



of. The respondents may take into consideration, the rules governing the service to the petitioner and if he is entitled for interest, pay interest at the rate of appropriate rate.

03.07.2023

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

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**C.V.KARTHIKEYAN, J.,**

vsg

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