



W.P.(MD)No.3690 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.3690 of 2023

and

W.M.P.(MD)No.3466 of 2023

C.John Felix

... Petitioner

Vs.

1. The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer (Distribution),
Tamil Nadu Generation and Distribution
Corporation Limited,
Thanjavur Region,
Thanjavur - 613 007.
3. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Thanjavur Electricity Distribution Circle,
No.1, Vallam Road,
Thanjavur - 613 007.



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4. Nalini,
The Superintending Engineer,
TANGEDCO,
Thanjavur Electricity Distribution Circle,
No.1, Vallam Road,
Thanjavur - 613 007.

5. The Assistant Executive Engineer (O and M),
Kumbakonam North,
TANGEDCO,
Thanjavur Electricity Distribution Circle,
Thanjavur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of transfer passed by the third respondent in his proceedings in Ku.A.No.00072/Ni.Bi. 3/Ni.U1/Ko.Va.A/2022-23, dated 25.01.2023 and quash the same as illegal and unconstitutional and consequently, directing the respondents 1 to 3 to retain the petitioner in the existing place, i.e., as Foreman Selection Grade (O&M) Section, Thippiyarajapuram with all attendant benefits.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mrs.M.Parameswari



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ORDER

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This Writ Petition has been filed to call for the records of the impugned order of transfer passed by the third respondent, vide proceedings, in Ku.A.No.00072/Ni.Bi.3/Ni.U1/Ko.Va.A/2022-23, dated 25.01.2023, quash the same and consequently, direct the respondents 1 to 3 to retain the petitioner in the existing place, i.e., as Foreman Selection Grade (O&M) Section, Thippiyarajapuram, with all attendant benefits.

2. The learned counsel appearing for the petitioner would submit that the petitioner has filed the Writ Petition challenging the impugned transfer order transferring the petitioner from Kumbakonam to Pattukottai. However, it would suffice, if this Court permits the petitioner to report for duty at the transferred place of Pattukottai and also grant liberty to the petitioner to make a fresh representation to the Electricity Board for re-transferring him from Pattukottai to Kumbakonam.

3. Per contra, the learned counsel appearing for the respondents would submit that the transfer order is purely on administrative grounds and



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the petitioner was transferred from Kumbakonnam to Pattukottai and hence, the impugned order of transfer cannot be interfered with. Hence, she prayed for dismissal of this Writ Petition.

4. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court without interfering with the order impugned in the Writ Petition, directs the petitioner to report for duty at the transferred place of Pattukottai and after reporting duty, liberty is granted to the petitioner to make a fresh representation to the Electricity Board for re-transferring him from Pattukottai to Kumbakonam. On receipt of such representation, the respondents shall pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of such representation.



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6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

23.02.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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