



W.P(MD)No.5743 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5743 of 2023
and
W.M.P(MD)No.5341 of 2023

A.Elangovan

... Petitioner

Vs

- 1.The Chief Engineer (TANGEDCO),
Distribution, Trichy Region,
Thennur, Trichy.
- 2.The Superintending Engineer (TANGEDCO),
Pudukottai Electricity Distribution Circle,
Puthukottai,
Puthukottai District.
- 3.The Assistant Executive Engineer (TANGEDCO),
Operation and Maintenance Town Pudukottai Electricity
Distribution Circle,
Puthukottai,
Puthukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent herein in Ku.Aa.No.1298/NePiII/U1/Ko.Ne.Transfer/2023-1 dated 07.03.2023 and quash



W.P(MD)No.5743 of 2023

the same as illegal and consequently direct the second respondent to allow the petitioner to continue to work as a wire man at Puthukottai Town East.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents : Mrs.M.Parameswari
Standing Counsel

ORDER

Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for TANGEDCO.

2.The petitioner challenges the impugned order of transfer primarily on the ground that it is violative of the guidelines set out in the board proceedings No.5 dated 28.06.2017. The relevant guidelines is as follows:

“10. The Transfers once made by the competent officers should not normally be modified/cancelled by them. If it is proposed to be modified/cancelled, the prior approval of the next higher officer should be obtained giving full justification. If any modification/cancellation to earlier transfer order is considered necessary in the case of transfers ordered by the Chief Engineers, the proposal may be sent to the Chief Engineer/Personnel for obtaining orders from the competent authority.”

3.According to the petitioner, he was earlier transferred to Pudukottai East vide order dated 12.08.2022. The earlier order was passed some seven



W.P(MD)No.5743 of 2023

months back. Passing an order on 07.02.2023 on administrative ground would not amount to modification of the earlier order dated 12.08.2022. Only in such circumstances, the approval of the first respondent will be required. Since I am satisfied that the circumstance contemplated under Guideline Number.10 is not present in the case, the impugned order does not warrant interference. It is also seen that transfer is only to SIPCOT, Pudukottai Division and not to some far off place. The impugned order also does not cast any stigma on the petitioner. It is said to have been issued only for administrative reason.

4.This writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

16.03.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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W.P(MD)No.5743 of 2023

G.R.SWAMINATHAN, J.

MGA

3.The Assistant Executive Engineer (TANGEDCO),
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Puthukottai District.

W.P(MD)No.5743 of 2023

and

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16.03.2023