



W.P(MD)No.10532 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.04.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10532 of 2023

and

W.M.P.(MD)No.9355 of 2023

Damodarajan

... Petitioner

Vs.

1.The General Manager,
TNSTC (Madurai) Ltd.,
Virudhunagar Zone,
Virudhunagar,
Virudhunagar District.

2.The Assistant Manager (Administration),
TNSTC (Madurai) Ltd.,
Virudhunagar Zone,
Virudhunagar,
Virudhunagar District.

3.The Branch Manager,
TNSTC,
Virudhunagar Branch,
Virudhunagar,
Virudhunagar District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the 1st respondent impugned proceedings in Tha.A.Po.Ka/Virudhu/Nir/A2/316/2022 dated 27.03.2023 and 3rd respondent consequential communication in Tha.A.Po.Ka/Virudhu/Pani Seramaippu/24/2023 dated 20.04.2023 and quash the same as illegal.

For Petitioner : Mr.S.M.Anantha Murugan

For Respondents : Mr.S.C.Herold Singh,
Standing Counsel.

ORDER

Heard the learned counsel on either side.

2.This order is passed based on the consent given by the writ petitioner through his counsel and the management given through the standing counsel.



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3.The petitioner is presently working as Conductor in the respondent corporation. He has been visited with an order of transfer as well as charge memo. The learned counsel for the petitioner strongly contended that since the transfer order partakes of punitive colour, it has to be interfered with. After considering the entire materials on record, I indicated to the management that they can either proceed with the order of transfer and withdraw charge memo or they can proceed with charge memo and not press the transfer order and that they cannot do both.

4.The matter was passed over to enable the learned standing counsel to get instructions. When the matter was finally taken up, the learned standing counsel submitted that they will withdraw the charge memo. The learned counsel for the petitioner states that the petitioner will accept the order of transfer and report for duty in the transferred place on 05.05.2023. I make it clear that the concession given by the management will be applicable only to the petitioner alone.

5.Recording the consent of the petitioner to abide by the order of



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transfer, this writ petition is disposed of. No costs. Consequently,
connected miscellaneous petition is closed.

28.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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