



W.P(MD)No.11537 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.05.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11537 of 2023

and

W.M.P(MD)Nos.10030, 10032 & 10035 of 2023

T.Chandran

... Petitioner

Vs

- 1.The Tamil Nadu Generation &
Distribution Corporation Limited (TANGEDCO),
Represented by its Chairman cum Managing Director,
144, Anna Salai,
Chennai – 600 002.
- 2.The Chief Engineer / Personnel,
Tamil Nadu Generation &
Distribution Corporation Limited (TANGEDCO),
Administrative Branch,
8th Floor, NPKKR Maligai,
144, Anna Salai,
Chennai – 600 002.
- 3.The Deputy Chief Engineer,
Tamil Nadu Generation &
Distribution Corporation Limited (TANGEDCO),
Administrative Branch,
8th Floor, NPKKR Maligai,
144, Anna Salai,
Chennai – 600 002.



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4.The Chief Engineer / Distribution /
Madurai Region,
TANGEDCO – Madurai Regional Office,
K.Pudur,
Madurai – 625 007.

5.The Superintending Engineer,
Madurai Electricity Distribution Circle,
TANGEDCO,
K.Pudur,
Madurai – 625 007.

6.M.Kathamuthu,
AEE (Electrical) / Distribution / Sivagangai,
Sivaganga Electricity Distribution Circle,
TANGEDCO,
Sivagangai,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, call for the records relating to the order in Memo No.0008267/G.1/ G.1(2)/2023-1 dated 29.04.2023 passed by the second respondent, insofar as the transfer and posting of the sixth respondent in the vacant post of Assistant Executive Engineer (Electrical)/ O & M/ North/ Melur under Madurai EDC is concerned and quash the same and consequently, direct the second respondent to transfer and post the petitioner in the vacant post of Assistant Executive Engineer (Electrical)/(O&M)/North/ Melur or any other post of Assistant Executive Engineer (Electrical) within Madurai City under Madurai EDC within a time limit to be fixed by this Court.

For Petitioner : Mr.T.Sakthikumaran



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For Respondents : M/s.Parameswari
Standing Counsel for R.1 to R.5

ORDER

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

2. The petitioner questions the impugned order of transfer whereby the sixth respondent has been posted at Melur. The petitioner's case is that he was originally posted as AEE North Melur in the year 2021. It was questioned by one A.Senthil Kumaran in W.P(MD)No.1437 of 2022. This Court had granted an order of interim stay. Subsequently, the writ petition has become infructuous. As the writ petitioner therein had been transferred to Chennai.

3. The stand of the learned counsel appearing for the petitioner is that since in the resulting vacancy, the petitioner should have been accommodated. Since he was disturbed from the said seat only on account of filing of the writ petition and following the closure of the writ petition, the original position has to be restored. It is also pointed out that the petitioner has suffering from certain medical ailments.



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4. I do find force in the said contention. But then as rightly pointed out by the learned Standing Counsel, much water has flown under the bridge. The petitioner's transfer was made wayback in August 2021. Morethan two years have lapsed, it is stated that the petitioner has not given any representation in the intervening period.

5. Be that as it may, the respondents are ready to consider posting the petitioner at Madurai, if any representation is received from them. I am not issuing any positive mandamus to post the petitioner at Madurai. However, relevant facts namely the age of the petitioner and his medical condition may be taken into account while considering his request for posting in Madurai limits.

6. This writ petition is disposed of with the aforesaid direction to the second respondent. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

11.05.2023

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



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