



W.P(MD)No.28453 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28453 of 2023

and

W.M.P(MD)Nos.24500 & 24502 of 2023

M.Manoharan

... Petitioner

Vs.

1.The Director,
Distribution,
TNEB/TANGEDCO,
Administrative Branch,
No.144, Anna Salai,
N.P.K.R.R.Maligai,
Chennai-600 002.

2.The Superintending Engineer,
TNEB/TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharaja Nagar,
Tirunelveli District-11.

3.The Assistant Executive Engineer,
Distribution / Urban,
Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Transfer Order in Memo



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No.1129/ADM-IV/A.1/F.ADM.T.R/2023, dated 28.11.2023 on the file of the respondent no.2 and consequential Impugned Relieving Order in Memo No.AEE/D/U/PCO/CA/F.Pro/D.No.297/2023, dated 28.11.2023 on the file of the respondent no.3 and quash the same as illegal and consequently directing the respondents to permit the petitioner to continue his service as Assistant Engineer (Operation and Maintenance) in the existing place at Vannarpettai, Tirunelveli Electricity Distribution Circle within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.S.Arivalagan
Standing Counsel

ORDER

The present writ petition has been filed by an Assistant Engineer (Operation and Maintenance) of TANGEDCO challenging the order of transfer from Vannarapettai to Melapalayam.

2. According to the learned counsel appearing for the writ petitioner, in Melapalayam, her sister is already working. As per the policy of the TANGEDCO, two close relatives are not being permitted to work in the same station. Therefore, his sister who is suffering from physical ailments is likely to be transferred out of Melapalayam. The



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petitioner does not want to cause any inconvenience to his sister who is already working at Melapalayam. Hence, the present writ petition.

3. The learned Standing Counsel appearing for the respondents was instructed to find out whether there are any other vacancies which are nearby to Vannarpettai or Melapalayam.

4. On instructions, he submits that there is a vacancy at Maintenance 400KV SS/Kayathar. The learned counsel for the petitioner after getting instructions from his client, submits that his client is willing to get accommodated at Kayathar. The said fact is recorded.

5. In view of the above said facts, the order impugned in the writ petition is set aside and the respondent authorities are directed to transfer the petitioner to Maintenance 400KV SS/Kayathar within a period of one (1) week from the date of receipt of copy of this order.

6. It is brought to the notice of the Court that the petitioner has made a representation on 04.12.2023 requesting for an accommodation at Pettai, Palayamkottai. In case any vacancy arises in future, the same may be considered on merits.



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7. With the above said observations, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

08.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

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R.VIJAYAKUMAR,J.



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Order made in
W.P(MD)No.28453 of 2023

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