



W.P.(MD).No.475 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.475 of 2023

and

W.M.P(MD) Nos.435 and 436 of 2023

E.Rajan Babu

... Petitioner

Vs.

1. The Chief Engineer/Personnel,
Administrative Branch,
N.P.K.RR.Maligai,
No.144, Anna Salai,
Chennai.

2. The Superintending Engineer,
Madurai – EDC Metro,
K.Pudur, Madurai.

3. The Superintending Engineer,
Ramnad – EDC, Ramnad.

4. Tmt. A.Kalaiselvi,
Accounts Officer (Revenue),
Ramnad – EDC,
Ramnad.

... Respondents 1 to 4

5. The Chief Engineer, Distribution,
Office of Chief Engineer (Distribution)
Madurai.

... 5th Respondent/
Proposed Respondent



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(R5 is impleaded vide order of this Court dated 30.08.2023 in W.M.P (MD) No.1618 of 2023 in W.P(MD) No.475 of 2023)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the first respondent in Memo No.072348/985/G.30/G.302/2022-1, dated 03.01.2023 passed by the first respondent and the impugned order in M.No.000141/014/CE/D/Madurai/ SADO/A.1/F.AO/2023, dated 04.01.2023 passed by the fifth respondent and quash the same.

(Prayer amended vide order of this Court dated 30.08.2024 in W.M.P(MD) No.1619 of 2023 in W.P(MD) No.475 of 2023)

For Petitioner	: Mr.T.Antony Arul Raj
For R1 to R3	: Mr.B.Ramanathan Standing Counsel
For R4	: Mr.G.Prabhu Rajadurai

ORDER

The instant writ petition has been filed by a Account Officer (Revenue) working in the Madurai Electricity Distribution Circle/(Metro), Madurai, challenging the order of transfer from Madurai to Ramanathapuram EDC.



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2. According to the learned counsel appearing for the writ petitioner, the writ petitioner has been transferred from Madurai to Ramanathapuram, only to accommodate the fourth respondent, who was earlier transferred to Ramanad just two months back prior to the impugned order of transfer.

3. The learned counsel appearing for the fourth respondent herein had contended that in view of the family circumstances, the fourth respondent was transferred back to Madurai and therefore, her transfer to Madurai may not be disturbed. He further contended that some vacancies will arise in the month of September in Madurai- EDC/Metro, and therefore the petitioner can be accommodated at Madurai.

4. At the time of admission, this Court has granted an interim order and the writ petitioner is continuing at Madurai EDC for the past 1 ½ of years. It could be seen from the records that the fourth respondent herein was transferred from Madurai to Ramanad only on 28.11.2022, and immediately under the impugned order, on 03.01.2023, she has been transferred back to Madurai EDC/Metro. Therefore, it is clear that the petitioner has been transferred only to accommodate the fourth respondent herein.



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5. Therefore, the order of transfer impugned in the writ petition is liable to be set aside and accordingly set aside. However, the respondent authorities are directed to consider the request of the fourth respondent herein to accommodate her in Madurai in the immediate next vacancy on a priority basis.

6. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

30.08.2024

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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