



WP(MD) No.9180 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.9180 of 2024

and

W.M.P(MD)No.8356 of 2024

C.Rajasekar

... Petitioner

Vs.

1.Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),

Represented by its Chairman Cum Managing Director,

144, Anna Salai,

Chennai - 600 002.

2.Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),

Represented by its Secretary,

Secretariat Branch,

144, Anna Salai,

Chennai - 600 002.



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3.The Chief Engineer (Personnel),

Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),

144, Anna Salai,
Chennai - 600 002.

4.The Chief Engineer / Distribution,

Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),

Tirunelveli Region,
Tirunelveli District - 627 011.

5.The Superintending Engineer

Tirunelveli Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Tirunelveli District - 627 011. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.3 to consider the petitioner's request transfer application in Application No.RTO12024-10659 dated 13.01.2024 and transfer



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the petitioner to the post of Assistant Executive Engineer / Electrical at Meter and Relay Testing/ Thalaiyuthu, Tirunelveli District in the light of the Request Transfer Guidelines issued by the Respondent No.1 dated 28.06.2017.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.S.Arivalagan,
Standing Counsel

ORDER

The petitioner has filed this Writ Petition seeking a direction to the third respondent to consider the petitioner's request transfer application in Application No.RTO12024-10659 dated 13.01.2024 and transfer the petitioner to the post of Assistant Executive Engineer / Electrical at Meter and Relay Testing/ Thalaiyuthu, Tirunelveli District in the light of the Request Transfer Guidelines issued by the Respondent No.1 dated 28.06.2017.



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2. Heard Mr.T.Aswin Raja Simman, learned counsel for the petitioner and Mr.S.Arivalagan, learned Standing Counsel for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel for the petitioner submits that he is working as Assistant Executive Engineer and as per the transfer request guidelines issued by the first respondent, dated 28.06.2017, the petitioner has submitted a request transfer application dated 28.12.2023 in compliance with the guidelines issued in this regard vide the first respondent's proceedings dated 28.06.2017. The above guidelines have been extracted as below :

“7. For ordering request transfers, the following conditions shall be scrupulously observed:-

a) (i) Eligibility of transfer will arise only after completion of one year as on 20th of January



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or 15th of July as the case may be on duty in the present Station/Present Post.

(ii) The one year on duty period shall not include the period spent on UEL on MC, EL, EOL w/o P&A and UEL on Private Affairs.

(iii) The work and conduct of the employee should be satisfactory.

b) In respect of provincial category, where more than one person seeking transfer to a place, either within the Circle or Outside Circle are qualified for consideration, preference will be given to the person who has served for the shortest period on duty (Continuously or indifferent spells) in the place to which transfer is sought. In case of provincial cadres promoted out of Regular Work Establishment Cadres, the service put in under provincial cadre alone will be taken into account for this purpose.

c) If under clause (b) above, more than one person is available within the Circle/ Outside the Circle or the same length of service in the place of his/her choice, then preference will be given to the one who has served the longest period on duty in the present place.

d) In respect of RWE category, where more than one person seeking transfer to a particular place within circle / within division are qualified for consideration, preference will be given to the person who has served for a shortest period on duty



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in all categories (Continuously or in different spells) in the place to which transfer is sought.

e) If under clause (d), above more than one person is available with no service or the same length of service in all categories in the place of his/her choice, then preference will be given to the one who has served the longest period on duty in the present place.”

5. The learned counsel for the petitioner submitted that the petitioner's application is fully in compliance with the above guidelines and hence, the same should be considered.

6. Since the petitioner's application has not been considered by the respondents so far, the respondents shall pass orders on merits and in accordance with law.

7. Hence, the third respondent is directed to consider and pass orders on the representation of the petitioner dated 13.01.2024 on its own merits and in accordance with the guidelines



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issued by the first respondent dated 28.06.2017, within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is **disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

15.04.2024

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

RM



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R.N.MANJULA, J.

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