



W.P.(MD)No.12997 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM:

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.12997 of 2023
and WMP(MD).No.11010 of 2023

M.Thandapani

... Petitioner

vs.

The Superintending Engineer
TANGEDCO
Dindigul District

....Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for records pertaining to the impugned order in ku.aa.no.312/344/Nib.3/Nioo.2/ko.Ni.Ma/2023 dated 20.05.2023 passed by the respondent and quash the same as illegal and unconstitutional.

For Petitioner : Mr.J.Vishnu

For Respondents : Mr.B.Ramanathan
Standing Counsel



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ORDER

The instant writ petition has been filed by a lineman challenging the order of transfer from Ottanchathiram to Vathalagundu.

2.A perusal of the impugned transfer order reveals that it has been passed on the basis of certain adverse remarks received by the employer.

3.It is no doubt true that the employer is entitled to transfer an employee on receipt of certain complaints. However, if the same is reflected in the transfer order, that would affect the career of concerned employee. In such circumstances, the transfer order could only be considered to be punitive in nature without conducting an enquiry.

4.In view of the above said facts, the order impugned in the writ petition is set aside and the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

11.09.2024

Intex : Yes/No
Internet : Yes/No
NCC: : Yes/No
msa



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To

The Superintending Engineer
TANGEDCO
Dindigul District



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R.VIJAYAKUMAR, J.

msa

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