



W.P.(MD)No.14866 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.14866 of 2024

and

W.M.P.(MD)Nos.13032 & 13033 of 2024

C.Rajasekar

... Petitioner

Vs.

- 1.Tamil Nadu Generation and Distribution Corporation Limited, (TANGEDCO),
Rep.by its Chairman Cum Managing Director,
No.144, Anna Salai,
Chennai - 600 002.
- 2.Tamil Nadu Generation and Distribution Corporation Limited, (TANGEDCO),
Rep. by its Secretary, Secretariat Branch,
No.144, Anna Salai, Chennai - 600 002.
- 3.The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation Limited
(TANGEDCO), No.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 01



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6.V.Senthil Krishnan

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Memo No.026287/G.1/G.1(2)/2004, dated 26.06.2024 on the file of the respondent No.3 and the consequential impugned order in Memo No.007409/1310/Adm/A.1/F.AEE(E1)/2024 dated 29.06.2024 on the file of the respondent No.4 and quash the same as illegal and consequently for a direction, directing the respondent No.3 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 order passed by this Court in W.P.(MD)No.9180 of 2024 dated 15.04.2024 within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Raja Simman
For R1 to R5 : Mr.S.Arivalagan
Standing Counsel

ORDER

This writ petition has been filed challenging the order in Memo No.026287/G.1/G.1(2)/2004, dated 26.06.2024 on the file of the respondent No. 3 and the consequential impugned order in Memo No.007409/1310/Adm/A.1/F.AEE(E1)/2024 dated 29.06.2024 on the file of the respondent No.4 as illegal and to direct the third respondent to consider the petitioner's request



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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.

2. Heard Mr.T.Aswin Raja Simman, learned counsel appearing for the petitioner, Mr.S.Arivalagan, learned Standing Counsel for the respondents 1 to 5.

3.The petitioner is working as an Assistant Executive Engineer/Electrical at Tirunelveli Electricity Distribution Circle. The petitioner made an application seeking transfer to Meter and Relay Testing/Thalaiyuthu. Since the same was not considered, the petitioner earlier filed a writ petition in W.P.(MD)No.9180 of 2024. This Court by an order dated 15.04.2024, had disposed the said writ petition directing the respondents to consider the application of the petitioner and pass necessary order. Thereafter, the respondents passed an order of transfer, transferring the sixth respondent at Meter and Relay Testing/Thalaiyuthu in Tirunelveli Electricity Distribution Circle in the existing vacancy. Challenging the same, the petitioner has filed this writ petition.



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4.The petitioner claims that the petitioner has filed an online application seeking transfer on 13.01.2024 in the prescribed format seeking to transfer him to Meter and Rely Testing/Thalaiyuthu. However, the sixth respondent, who has now been transferred by the order impugned in this writ petition, has not even filed an application seeking transfer to Thalaiyuthu.

5.The learned Standing Counsel appearing for the official respondents submitted that the petitioner and the sixth respondent had made applications on 13.01.2024 and 14.03.2024 seeking transfer. After considering both the applications, it is found that the sixth respondent is eligible to be accommodated at Meter and Relay Testing/Thalaiyuthu. Hence, the order of transfer was given to the sixth respondent.

6.From the submission made above, it could be seen that the applications submitted by the petitioner and the sixth respondent were considered and thereafter, the order of transfer is passed as the sixth respondent is the person to be accommodated at Thalaiyuthu. There are some guidelines in choosing an appropriate person to be transferred and placed in Meter and Relay Testing/Thalaiyuthu. According to the guidelines for making transfers, issued by the Tamil Nadu Generation and Distribution Corporation Limited, in the administrative interest if any person is found to be eligible for any posts, the



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transfer given in this regard shall not be considered as illegal or improper. In the name of transfer, the petitioner cannot try to achieve indirectly, what he cannot achieve directly.

7.I find no merits in this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

08.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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Corporation Limited, (TANGEDCO),
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R.N.MANJULA, J.

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