



W.P.(MD)No.19737 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM:

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.19737 of 2023
and WMP(MD).No.16284, 25105 & 25106 of 2023

T.Perumal

... Petitioner

vs.

1.The Chief Engineer/Personnel
Tamil Nadu Generation and Distribution Corporation
144, Anna Salai
Chennai 600 002

2.The Superintending Engineer
Trichy Electricity Distribution Circle/Metro
Tamil Nadu Generation and Distribution Corporation
Trichy

3.The Executive Engineer
Operation & Maintenance
Tamil Nadu Generation and Distribution Corporation
Srirengam
Trichy



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4.The Assistant Executive Engineer
Operation & Maintenance
Tamil Nadu Generation and Distribution Corporation
Mannachanallur, Trichy

5.The Assistant Engineer
Operation & Maintenance
Tamil Nadu Generation and Distribution Corporation
Manachanallur Town
Trichy

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records pertaining to the impugned transfer order in Memo No.044437/G.31/G.312/2023-1 dated 01.08.2023 of the first respondent and quash the same as illegal.

For Petitioner : Mr.A.N.Ramanathan

For Respondents : Mr.B.Ramanathan
Standing Counsel

ORDER

The instant writ petition has been filed by a Line-Inspector of Trichy Electricity Distribution Circle challenging his order of transfer from Trichy EDC/Metro to Thanjavur EDC on administrative grounds.



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2. According to the writ petitioner, certain allegations were made against him and he was exonerated after 'Censure' on 25.07.2023. The order of transfer dated 01.08.2023 and exoneration order dated 25.07.2023 were served together and therefore, the instant order of transfer is punitive in nature.

3. Per contra, the learned Standing Counsel appearing for the respondents had brought to the notice of the Court that they have received a vigilance report from the Director General of Police on 10.07.2023 seeking enquiry as against the writ petitioner. Therefore, the petitioner has to be transferred to some other place for continuation of the enquiry proceedings.

4. The learned Standing Counsel also brought to the notice of the Court that further proceedings have been initiated as against the writ petitioner for the allegation and a charge memo has been issued on 07.08.2024. In such circumstances, the petitioner has been transferred. When the enquiry has already been initiated as against the writ petitioner, unless the writ petitioner is transferred from the said place, the enquiry cannot be conducted in a fair manner.



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5.In view of the above said facts, this Court does not find any reason to interfere in the order of transfer. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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

msa

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