



W.A.(MD) No.2179 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD)No.2179 of 2024
and
C.M.P.(MD)Nos.15261 and 15262 of 2024**

V.Thangamurugan

... Appellant

-VS-

1.Jeyaseelan

2.The Chief Executive Engineer / Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Administrative Branch, N.P.K.R.R.Maalgai,
D.No.144, Annasalai,
Chennai.

3.The Chief Engineer (Distribution),
TANGEDCO, Tirunelveli Region,
Tirunelveli District.

4.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
TANGEDCO, Tirunelveli Region,
Tirunelveli District.

... Respondents



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WEB COPY Writ Appeal filed under Clause 15 of Letters Patent to allow this Writ Appeal by setting aside the order, dated 18.09.2024 made in W.P.(MD).No.1941 of 2024.

For Appellant : Mr.S.Palanivelayutham

For Respondents : Mr.M.Ajmal Khan, Senior Counsel,
For M/s.Ajmal Associates for R1.
Mr.S.Arivalagan,
Standing Counsel for R2 to R4.

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The proceedings in this writ appeal demonstrate that complete collusion between the appellant and the officials of the department. The appellant was working as Assistant Executive Engineer in Palayamkottai was transferred to Ayikudy in Tenkasi District on 29.06.2023. The appellant sent three representations dated 17.07.2023, 07.08.2023 and 11.09.2023 seeking re-transfer to Palayamkottai. Following the modus operandi, that is adopted on the advice of the officials of the department itself, the appellant filed writ petition in W.P.(MD)No.26974 of 2023 seeking Writ of Mandamus to consider his representation for re-transfer. This Court also passed an order directing the



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officials to consider the same in accordance with law and pass orders as and when vacancy arises at Palayamkottai. Unbelievably and to our total surprise and shock, this order was complied with within fifteen days thereby, the appellant was transferred from Ayikudy to Palayamkottai. The order of re-transfer dated 25.11.2023 states that it is based on the order of this Court. This by itself makes it clear that this Court was used as a pawn in the hands of the errant officials of Tamil Nadu Generation and Distribution Corporation Limited. It is this transfer order that was the subject matter of challenge in the writ petition, which has now been allowed. The order transferring the appellant to Palayamkottai is in violation of all rules governing the transfer of an employee in Tamil Nadu Generation and Distribution Corporation Limited. The Writ Court had fortunately seen through the game played and had allowed the writ petition setting aside the transfer order. We do not see any reason to interfere with the same. The writ appeal therefore fails and it is accordingly dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

NCC : No
Index : No
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[R.S.M., J.] [L.V.G., J.]
29.10.2024



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