



WP(MD)No.29747 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.29747 of 2024

N.Selvam

.. Petitioner

v.

1.The Chief Engineer (Personnel),
Tamil Nadu Power Distribution Co. Ltd.,
Administrative Branch,
No.144, Annasalai,
Chennai - 600 002.

2.The Superintendent Engineer,
Sivagangai EDC,
Sivagangai,
Sivagangai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to relieve the petitioner from Sivagangai in the post of AEE/RAPDRP/C.O so as to enable her to join at Madurai in the post of AEE/RC-Madurai,



WP(MD)No.29747 of 2024

according to the order passed by the first respondent, by considering the petitioner's representation dated 19.09.2024.

For Petitioner : Mr.N.Tamilmani
For Respondents : Mr.Ramanathan,
Standing Counsel

ORDER

The petitioner is working as an Assistant Executive Engineer in the Sivagangai Electricity Distribution Circle. The petitioner claims that she is working in the Sivagangai Distribution Circle from March, 2021 and she has completed three years service at Sivagangai. She made a request for transfer, considering her health ailments and the period already she has served at Sivagangai. The first respondent appears to have considered the representation of the petitioner and by order dated 29.08.2024, transferred her from Sivagangai Electricity Distribution Circle to Madurai Electricity Distribution Circle. Though the first respondent has passed an order to transfer the petitioner from Sivangai to Madurai, the second respondent /



WP(MD)No.29747 of 2024

Superintendent Engineer, Sivagangai, has not relieved her. Therefore, the petitioner has approached this Court seeking a mandamus directing the second respondent to relieve her from Sivagangai, pursuant to the order of the first respondent dated 29.08.2024.

2.Learned Standing Counsel for the Electricity Board submitted that the first respondent has also posted another person in the place of this petitioner in the office of the second respondent. However, the said person who was posted in the place of this petitioner has not joined duty and therefore, this petitioner was not relieved by the second respondent.

3.This Court considered the rival submissions made on either side and perused the materials placed on record.

4.Admittedly, the petitioner has served for more than three years at Sivagangai Electricity Distribution Circle and thereafter, considering her representation and her health condition, the first respondent has passed an order transferring this petitioner from Sivagangai Electricity Distribution



WP(MD)No.29747 of 2024

Circle to Madurai Electricity Distribution Circle. The second respondent cannot retain the petitioner after the orders of the first responder dated 29.08.2024.

5. Therefore, this writ petition is allowed with a direction to the second respondent to relieve the petitioner forthwith, enabling her to join duty as per the order of the first respondent. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
gk

10.12.2024

To

1. The Chief Engineer (Personnel),
Tamil Nadu Power Distribution Co. Ltd.,
Administrative Branch,
No.144, Annasalai,
Chennai - 600 002.

2. The Superintendent Engineer,
Sivagangai EDC,
Sivagangai,
Sivagangai District.



WEB COPY



WP(MD)No.29747 of 2024

B.PUGALENDHI, J.

gk

WP(MD)No.29747 of 2024

10.12.2024