



W.P.No. 36242 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.09.2025

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THE HONOURABLE Mr. JUSTICE A.D. JAGADISH CHANDIRA

W.P.No. 36242 of 2025

&

W.M.P.Nos. 40508 & 40509 of 2025

S.Santhakumar

...Petitioner

Vs.

1.The Chief Engineer / Personal
TANGEDCO and TANTRANSCO,
Anna Salai
Chennai 2

2.The Superintending Engineer
Gobi Electricity Distribution Circle,
Gobi.

3.The Assistant Executive Engineer
O&M / East / Sathy,
Shenbagapudur

...Respondents



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Prayer: Petition is filed under Article 226 of the Constitution of India, seeking Writ of Certiorari, to call for records pertaining to transfer order dated 02.07.2025 made in Memo No. 345/Ni.Me2/Ni.Pi2/Ni.U004/2025 by the 2nd respondent and quash the same.

For Petitioner : Mr. B.M.Subash

For Respondents : Mr. C.Ramkumar

ORDER

Challenging the transfer order transferring the petitioner from Gobichettypalayam to Shenbagapudur, the petitioner is before this Court.

2. The learned counsel for the petitioner would submit that the petitioner is working as an Assistant Engineer Electrical, from the year 2015 onwards. The learned counsel would submit that earlier, disciplinary proceedings were initiated against the petitioner by serving a charge memo dated 31.07.2024. While disciplinary proceeding was



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pending, the 1st respondent transferred the petitioner from Gobichettypalayam to Chennai.

3. The petitioner approached this Court by filing a Writ Petition in WP.No.25403 of 2024 and this Court, by order dated 04.09.2014, has set aside the order of transfer and had directed the petitioner to be retained in Gobichettypalayam itself. Subsequently, the 2nd respondent has suspended the petitioner by order dated 27.09.2024 with effect from 27.09.2024.

4. Challenging the said order, the petitioner approached this Court in WP.No.23938 of 2025 and the same was disposed of vide order dated 03.07.2025 with a direction to the authorities to pass final order, within a period of 6 weeks. Thereafter, the 2nd respondent has revoked the suspension order.



5. The learned counsel would submit that without stating any reason, once again, the petitioner was transferred from Gobichettypalayam to Shenbagapudur by the order impugned. The order impugned does not spell out that transfer is ordered on administrative grounds. Aggrieved thus, the petitioner is before this Court.

6. Per contra, the learned counsel for the respondents would submit that though the suspension order of the petitioner has been revoked, he was facing disciplinary proceeding. Ultimately, the petitioner was given a punishment and the petitioner has also challenged the order of punishment. He would further submit that the transfer is only on the ground of administrative reasons which is an incident of service and that the distance between Gobichettypalayam and Shenbagapudur is only 20 kms. and it will not affect the petitioner in any way. Therefore, he would submit that the Writ Petition deserves to be dismissed.



7. Heard the learned counsel on the either side and perused the records.

8. A perusal of the records would show that the petitioner was suspended from service on 27.09.2024. Thereafter, the suspension order was revoked by order dated 12.06.2025. Subsequently, an order of transfer has been issued on 02.07.2025. Though the suspension order has been revoked, a reading of the transfer order dated 02.07.2025 indicates that the petitioner has been facing the disciplinary proceeding.

9. Be that as it may, the distance between Gobichettypalayam and Shenbagapudur is only 20 kms. and as rightly argued by the learned counsel for the respondents, it will not affect the petitioner in any way. The contention of the learned counsel for the respondents is also that the transfer is on the ground of administrative reasons and it is an incident of service.



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10. In *Abani Kanta Ray Vs. State of Orissa and Others – 1995*

Supp (4) SCC 169, it is settled that a transfer which is an incident of service is not to be interfered with by the Courts unless it is shown to be clearly arbitrary or vitiated by *mala fides* or infraction of any preferred norms or principle governing transfer.

11. Considering the above facts and circumstances of the case this Court is of the opinion that this Writ Petition deserves to be dismissed. Accordingly, this Writ Petition stands dismissed. Consequently, the connected miscellaneous petitions are closed. No costs.

24.09.2025

Index : Yes/No

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