



W.P.(MD)No.15261 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15261 of 2025

and

W.M.P.(MD)Nos.11533 and 11534 of 2025

Karnan

... Petitioner

-VS-

1.The Chairman and Managing Director,
TANGEDCO, No.144, Anna Salai,
Chennai - 2.

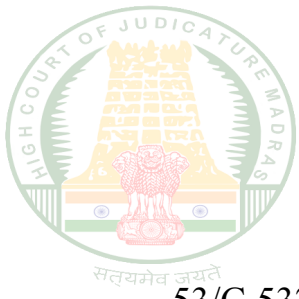
2.The Chief Engineer,
Personnel, TANGEDCO,
No.144, Anna Salai,
Chennai - 2.

3.The Chief Engineer (Distribution),
Trichy Region, TANGEDCO,
Trichy.

4.The Superintending Engineer,
Trichy Metro, TANGEDCO,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling the records relating to the proceedings of the second respondent made in Memo No.1000005460 / MEMO No.031870 / G.



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53/G.532/2025 dated 30.05.2025 and in Memo No.1000005460/MEMO.No.031870/G.53/G.532/2025 dated 30.05.2025 and quash the same.

For Petitioner : Mr.R.Murali

For Respondents : Mr.B.Ramanathan
Standing Counsel

ORDER

This Writ Petition has been filed seeking to quash the impugned transfer Memos of the second respondent, dated 30.05.2025.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner submits that he is 59 years old and due to retire on 31.07.2026. He is challenging the impugned transfer order dated 30.05.2025, which he submits is punitive in nature, arbitrary and passed without following due process of law. The petitioner has served in the TANGEDCO Department since 27.05.1993 and has an unblemished service record spanning over three decades. He has been promoted periodically based on merit and seniority and currently holds the post of Administrative Officer. Owing to his own serious

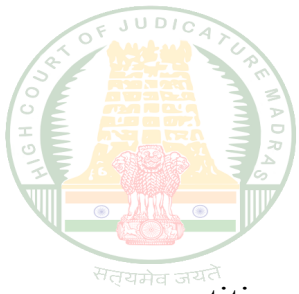


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health issues and his wife's chronic orthopedic condition, who is also a Government servant, the petitioner had requested transfer to Trichy, where his family resides. This request was considered and accepted by the competent authority and he was posted at Trichy in January 2025.

4. The petitioner further submits that the respondents, without any change in circumstances or justification, have suddenly issued the impugned transfer order, transferring him from Trichy to Kallakurichi, a location lacking direct public transport and causing severe personal hardship. The distance exceeds 150 Kilometers and would require over three hours of travel each way.

5. The petitioner further submits that the impugned order makes specific reference to a Vigilance Cell note. However, the petitioner was never issued with any memo, show cause notice or afforded any opportunity of hearing. Hence, the reference to a vigilance note renders the transfer punitive in nature, amounting to a punishment transfer without enquiry, in violation of principles of natural justice. The Hon'ble Apex Court has consistently held that punishment cannot be imposed without proper enquiry and adherence to due process. The transfer, being stigmatic and based on unproven allegations, is illegal and unsustainable. The



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petitioner has only 14 months of service left and the hardship caused to him and his dependent wife at this stage of his career is disproportionate, arbitrary and violative of Articles 14 and 21 of the Constitution. Hence, the petitioner prays that this Court be pleased to set aside the impugned transfer order dated 30.05.2025 and allow him to continue in his present posting at Trichy till his retirement.

6. Heard both sides.

7. Considering the above said facts and circumstances of the case, this Writ Petition is disposed of, with a direction to the petitioner to submit a representation outlining all his grievances to the second respondent, within a period of one week from the date of receipt of a copy of this order. Upon receipt of such representation, the second respondent shall consider it sympathetically and pass appropriate orders, within a period of two weeks thereafter. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
smn2

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VIVEK KUMAR SINGH, J.

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