



W.A.(MD)No.1662 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1662 of 2025
and
C.M.P.(MD)Nos.9300 and 9301 of 2025**

Karnan

... Appellant

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



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Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.15261 of 2025 dated 05.06.2025 on the file of this Court.

For Appellant : Mr.Naveenkumar Murthy,
For Mr.K.Shanmugasundaram.

For Respondents : Mr.B.Ramanathan,
Standing Counsel.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard the learned counsel for the appellant and the learned standing counsel for TANGEDCO.

2.The appellant herein challenged the order dated 30.05.2025 issued by the second respondent transferring him from Trichy to Kallakurichi. The learned Single Judge disposed of the writ petition on 05.06.2025 in the following terms:-



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“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.”

Challenging the said order, this writ appeal has been filed.

3.The stand of the learned counsel for the appellant is that the impugned transfer order is on the face of it stigmatic as well as punitive and therefore, it has to be set aside.

4.The learned standing counsel for the respondents on the other hand submitted that vigilance cell has called upon the second respondent to frame charges against the writ petitioner and also transfer him in the interest of fair enquiry. Copy of the charge memo dated 27.05.2025 has been made available. It was served on the writ petitioner on 09.06.2025. The learned standing counsel pointed out that very serious allegations



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have been made against the writ petitioner and therefore, this Court ought not to show indulgence to the appellant. He called upon this Court to sustain the order of the learned Single Judge and dismiss the writ appeal.

5.We carefully considered the rival contentions and went through the materials on record. We went through the contents of the charge memo. It is seen that they pertain to the period when the appellant was working as Administrative Officer in Perambular Electricity Distribution Circle. The subject matter of the charge memo does not pertain to Trichy Electricity Distribution Circle at all. Hence, transferring the appellant from Trichy is not justified and smacks of arbitrariness.

6.When the appellant had already been transferred from Perambalur to Trichy, we fail to understand as to why, he should be visited with one more transfer from Trichy to Kallakurichi. We had look at the order of transfer. In fact, the order of transfer dated 30.05.2025 originally referred to the note put up by the vigilance cell on 15.05.2025. However, in the actual order served on the writ petitioner, this reference



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portion had been omitted. It has been consistently held by this Court that if the order of transfer is stigmatic and punitive, then it cannot be passed without holding a proper enquiry.

7.The impugned order of transfer and the order made in W.P.(MD)No.15261 of 2025 are set aside and the writ appeal is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S. J.) & (K.R.S. J.)
23.06.2025

NCC : Yes/No
Index : Yes / No
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G.R.SWAMINATHAN, J.
and
K.RAJASEKAR, J.

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