



WP(MD). No.5800 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27.04.2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.5800 of 2026
and WMP(MD)Nos.4828 and 4831 of 2026

Athilakshmi

... Petitioner

Vs

1. The Principal Secretary to Government,
Energy Department, Fort St.George,
Chennai - 600 009..

2. The Chairman and Managing Director,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
N.P.K.R.R.Maligai,
No.144, Anna Salai,
Chennai - 600 002..

3. The Secretary,
Tangedco, Secretariat Branch,
N.P.K.R.R.Maligai,
No.144, Anna Salai,
Chennai - 600 002..

4. Visalakshi

... Respondents



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PRAYER:- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the 2nd Respondent in (Rt.) CMD TNPDC Proceedings No.10 dated 23.02.2026 and quash the same as illegal.

For Petitioner : Mr.K.Navaneetharaja
For R1 & R2 : Mr.S.Shaji Bino
Special Government Pleader
For R3 : Mr.S.Ramanathan
Standing Counsel
For R4 : Mr.N.Adithya Vijayarayan

ORDER

The petitioner herein was promoted to the post of Superintending Engineer on 20th March 2024 and posted at Palladam. Thereafter, on 04.10.2024, she was transferred to Dindigul. Then, the petitioner was transferred to Madurai on 11.11.2024. Again, the petitioner was transferred to Sivagangai. While working at Sivagangai, the petitioner requested to transfer her to Madurai. On request, the petitioner was again transferred to Madurai on 18.10.2025. While so, the second respondent passed the impugned order dated 23.02.2026 transferring the petitioner from Madurai to Valuthur Gas Turbine Power Plant at Ramnad. Aggrieved by the said proceedings dated 23.02.2026, the petitioner has filed the present writ petition.



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2. The learned counsel for the petitioner contended that on a request made by the petitioner on medical grounds, the petitioner was accommodated at Madurai, through proceedings dated 18.10.2025 and the present transfer order effected by the respondents is punitive nature.

3. This Court, having taken note of the frequent transfers effected, issued notice to the respondents. Though notice is served on the fourth respondent, no counter affidavit has been filed. This Court also, having taken note of the same, finally granted time on 20.04.2026 to the fourth respondent for filing counter affidavit. Today also, the fourth respondent has not chosen to file any counter affidavit.

3. The third respondent filed a counter affidavit advertng the transfers of the petitioner from place to place as mentioned in the affidavit filed in support of the writ petition. It is also not disputed that the petitioner is transferred and posted to Madurai on her request. Except stating that the impugned transfer of the petitioner is under administrative exigencies transferring 16 Superintending Engineers, absolutely, there is no reason for the so called



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administrative exigency is sought to be explained in the counter affidavit. Mere paraphrasing the word "administrative exigencies" while transferring the petitioner, when the petitioner got transferred to Madurai on medical grounds on her request, leads nowhere. When the transfer of the petitioner is challenged, it is for the respondents to justify by explaining as to what exactly the 'administrative exigency' that necessitated disturbing the petitioner within a short span of time. Absolutely, the same is lacking in the counter affidavit.

4. No doubt, the second respondent has got power to effect transfers and postings and the competency of the second respondent is not under challenge. The power that is conferred upon the second respondent to effect transfers and postings from time to time is also required to be exercised with due reasonable care and caution. Arbitrary exercise of power is not permissible. Though the petitioner has made specific averment in the affidavit filed in support of the writ petition contending that her transfer and posting to Madurai is on her request based on medical grounds, the counter affidavit is totally silent on that aspect. As already noted above, the so called "administrative exigency" is also not even attempted to be explained by the third respondent in the counter affidavit. In the absence of any



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explanation explaining the so called administrative exigency, exercise of power of transfer within short span of time is bound to be declared as arbitrary and legal.

5. In the light of the above, especially taking into consideration the fact that, the fourth respondent, in spite of service of notice and entered appearance and affording reasonable opportunity has not chosen to file any counter affidavit, this Court is left with no other option except to proceed with the matter basing on the material available on record. Accordingly, this Court is thoroughly convinced that the impugned proceedings transferring the petitioner from Madurai to Ramnad is highly arbitrary and illegal. Accordingly, the impugned transfer order to the extent of transferring the petitioner from Madurai and posting the fourth respondent in the place of the petitioner at Madurai is hereby quashed. The respondents are directed to issue consequential proceedings as expeditiously as possible at any rate within a period of two weeks from date of receipt of copy of this order.



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6. In fine, this writ petition is allowed. No costs. Consequently,
connected miscellaneous petitions are closed.

27.04.2026

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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