



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.12.2014**

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CORAM:

THE HONOURABLE MR.JUSTICE **V.DHANAPALAN**

AND

THE HONOURABLE MS.JUSTICE **V.M.VELUMANI**

W.P. (MD) .No.21180 of 2014

and

M.P.No.1 of 2014

B.Jeevanmoorthy,
S/o.M.G.Balu, General Secretary,
Tamil Nadu State Transport Corporation,
[INTUC] Union,
3/4A, Pattukottai Kalyana Sundaram Street,
Bye-pass Road, Madurai 625 016. : Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
Secretariat, Transport Department,
Fort.St.George, Chennai 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation [Madurai] Ltd.,
Bye-pass Road, Madurai 625 016.
- 3.The Managing Director,
Tamil Nadu State Transport Corporation,
[Kumbakonam] Ltd.,
New Railway Station Road,
Kumbakonam 612 001.
- 4.The Managing Director,
State Express Transport Corporation,
[Tamil Nadu] Ltd., Pallavan Salai,
Chennai 600 002.
- 5.The Managing Director,
Metropolitan Transport Corporation [Chennai] Ltd.,
Pallavan Salai, Chennai 600 002.
- 6.The Managing Director,
Tamil Nadu State Transport Corporation [Salem] Ltd.,
12, Ramakrishna Road,
Salem 623 007.



7.The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram] Ltd.,
3/137, Salamedu, Vazhudareddi,
Highway, Villupuram 605 602.

8.The Managing Director,
Tamil Nadu State Transport Corporation [Coimbatore] Ltd.,
37, Mettupalayam Road,
Coimbatore 641 043.

9.The Managing Director,
Tamil Nadu State Transport Corporation [Tirunelveli] Ltd.,
Vannarapettai, Tirunelveli 627 003. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to constitute a separate Board for appointment of Drivers, Conductors, Technical Staff, Administrative Staff, Supervising Staff and Managerial cadre etc., like the Tamil Nadu Public Service Commission, Teachers Recruitment Board, Staff Selection Committee and Union Public Service Commission and follow the common written examination, test drive examination and other examination which recommendation by law under the supervision of the first respondent constituted Board and follow the rules and reservation as communal roster.

For Petitioner : Mr.B.Jeevan Moorthy
Party-in -Person

For Respondent Nos.1to3 : Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.N.Manohar
Special Government Pleader

For Respondent Nos.4to9 : Mr.K.Sathiya Singh
Standing Counsel for TNSTC

O R D E R

[Order of the Court was made BY **V.DHANAPALAN, J.**]

After noticing the submissions made by Mr.K.Chellapandian, learned Additional Advocate General with Mr.N.Manohar, learned Special Government Pleader appearing for the respondents 1 to 3 as to the maintainability of a Public Interest Litigation in service matters, in view of the law laid down by the Hon'ble Supreme Court in **Dattaraj Jathuji Thaware Vs State of Maharashtra and others**, reported in **2005 (1) SCC 590**, the petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to move the Court of appropriate jurisdiction. He has also made an endorsement to that effect.



2. In view of the same, the Writ Petition is dismissed as withdrawn with liberty as prayed for. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government,
Secretariat, Transport Department,
Fort.St.George, Chennai 600 009.
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- 9.The Managing Director,
Tamil Nadu State Transport Corporation [Tirunelveli] Ltd.,
Vannarapettai, Tirunelveli 627 003.

+1cc to Spl.Government Pleader Sr.No. 69139

+1cc to Mr. A.P.Muthupandian, Advocate Sr.No. 68572

+1cc to Mr. D.Sivaraman, Advocate Sr.No. 68788

+1cc to Mr. K.Sathiya singh, Advocate Sr.No. 68812

nb

AA/06.01.2015/3p- 14c/

ORDER MADE IN
W.P. (MD) .No.21180 of 2014
23.12.2014