

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.19406 to 19408 of 2016
and
WMP.16824 to 16826 of 2016

P.V.Kathirvel ... Petitioner in W.P.No.19406/16
T.Chandrasekaran ... Petitioner in W.P.No.19407/16
P.Saravanakumar ... Petitioner in W.P.No.19408/16

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd., No.37, Mettupalayam Road,
Coimbatore Dist. - 641 043.

2.The Manager,
Pollachi Branch,
Tamil nadu State Transport Corporation
(Coimbatore) Ltd.,
Pollachi - 642 001.

... Respondents

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records pertaining to transfer order passed by the first respondent vide proceedings dated 02.06.2016 in No.2963, 2964 and 2965/E3P/52P/Pa.Du1/Tha.AA.Po.Ka (Coimbatore)/16 and consequential relieving order dated 02.06.2016, quash the same.

For petitioners: Mr.S.Vijayaganesh
For Respondents: Mr.Sairaman, Standing Counsel

COMMON ORDER

By way of filing these writ petitions, the petitioners seek to quash the impugned transfer order dated 02.06.2016 passed by the first respondent / the General Manager, Tamil Nadu State Transport Corporation (Coimbatore) Limited, Coimbatore, and the consequential relieving order dated 02.06.2016.

2. It is submitted by the learned counsel for the petitioners that on receipt of the impugned transfer order, all the petitioners have joined in their respective places for duty. It is his further contention that the impugned transfer order is mainly on the ground that they have participated in the meeting conducted by the new Union. Hence, at the instigation of dominant Union, the petitioners were victimized by way of the present impugned order transferring them from one place to another place.

3. Mr.Sairaman, learned counsel, takes notice for the respondents.

4. It is no doubt true that in obedience to the transfer order passed by the first respondent, all the petitioners have joined in their respective places for duty. The crux of the is as to whether the petitioners were victimized due to the present impugned transfer order since they have admittedly participated in the new Union. Such issue, in my view, will have to be gone into by the authorities concerned, not this Court sitting under Article 226 of the Constitution of India. Therefore, by taking note of the fact that all the petitioners have joined in their respective places for duty as per the impugned transfer order, this Court directs the first respondent to treat these writ petitions as representations of the petitioner and thereafter to pass orders on the same, by taking note of the serious allegations made in the affidavit filed in support of the writ petitions and after affording reasonable opportunities to the petitioners. Such exercise shall be done by the first respondent within a period of ten days from the date of receipt of a copy of this order.

5. With the above directions, the writ petitions stand disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

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To

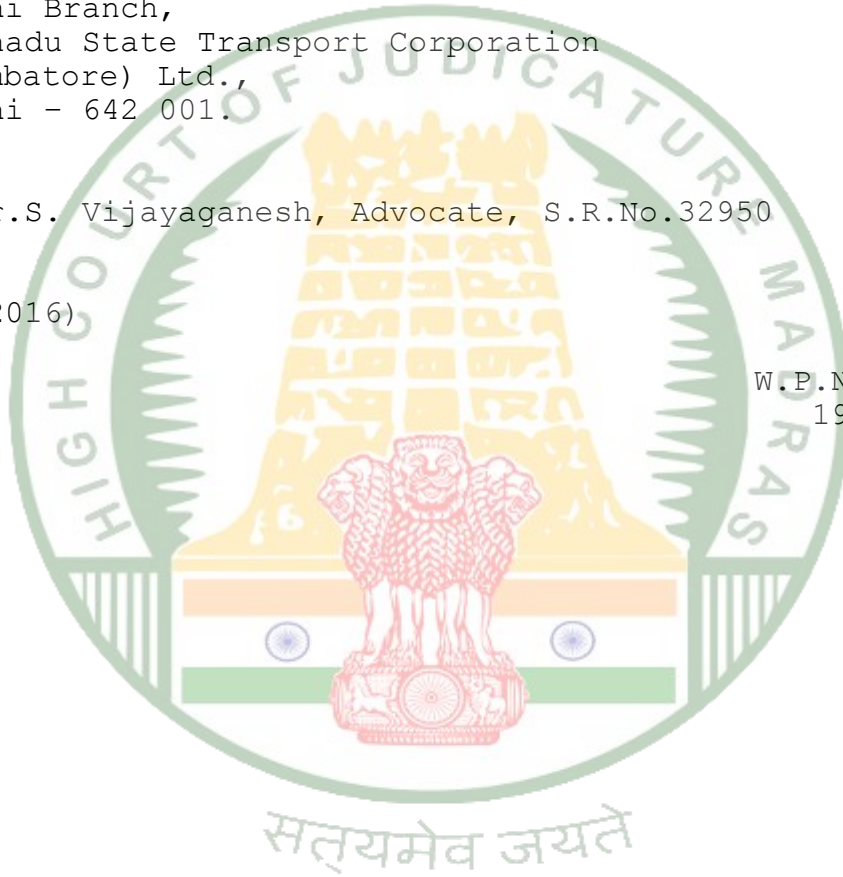
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+1cc to Mr.S. Vijayaganesh, Advocate, S.R.No.32950

NRJK(CO)
EU(17/06/2016)

W.P.Nos.19406 to
19408 of 2016



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