

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.08.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition Nos.29499 and 29500 of 2016
and
W.M.P.Nos.25534 and 25535 of 2016

P.Saravanakumar .. Petitioner in W.P. No. 29499 of 2016

T.Chandrasekaran .. Petitioner in W.P.No.29500 of 2016

Versus

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

2. The Manager,
Pollachi Branch-II,
Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
Pollachi.642001.

.. Respondents in both W.P.'s

Prayer in W.P.No.29499 of 2016: Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Certiorarified Mandamus to call for records relating to the order passed by the first respondent vide proceedings dated 01.07.2016 in No.L3/AM/Labor/WP.No.19408/16/TNSTC (CBE)/16, quash the same and consequently permit the petitioner to join back to the 2nd Respondent office.

Prayer in W.P.No.29499 of 2016: Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Certiorarified Mandamus to call for records pertaining to the order passed by the first respondent vide proceedings dated 01.07.2016 in No.L3/AM/Labor/WP.No.19407/16/TNSTC (CBE)/16, quash the same and consequently permit the petitioner to join back to the 2nd Respondent office.

For Petitioner : Mr.S.Vijayaganesh
For Respondents : Mr.P.Kannan Kumar
Standing counsel

COMMON ORDER

By consent, these Writ Petitions are taken up and disposed of at the stage of admission itself.

2. Earlier, the petitioners were transferred by the first respondent by passing an order dated 02.06.2016 against them. Challenging the same, the petitioners and another person have filed WP Nos. 19406 to 19408 of 2016 before this Court. However, even at the time of filing the writ petitions, the petitioners themselves have admitted that in obedience to the orders of transfer, they have joined the places to which they were transferred. However, they prayed this Court to direct the first respondent to re-consider their claim for cancelling such order of transfers. By a common order dated 14.06.2016, this Court disposed of the writ petitions with a direction to the first respondent to treat the writ petitions filed by the petitioners as representations, to consider it and pass orders thereon on merits and in accordance with law. Pursuant to such direction issued by this Court, the first respondent has passed the orders dated 01.07.2016, which are impugned in these writ petitions, refusing to re-consider the claim of the petitioners for cancelling the orders dated 02.06.2016 passed against them.

3. The learned counsel for the petitioners would contend that the first respondent has passed the impugned orders without issuing any notice or affording an opportunity to them. Therefore, according to the learned counsel for the petitioners, the orders passed by the first respondent are in violation of principles of natural justice and on that ground they are liable to be set aside.

4. On the above contention, this Court heard the learned standing counsel for the respondents/corporation who justified the passing of the orders which are impugned in this writ petition.

5. I heard the counsel for both sides. It is seen from the orders, which are impugned in these writ petitions, that the first respondent has clearly stated that the request of the petitioners to permit them to join duty in the office of the second respondent will be considered as and when vacancies arise by recalling the order of transfers passed against them. It is also stated that whenever such vacancies arise, priority will be

given to the petitioners. In the light of the above, this Court is of the view that the respondents shall give priority to the petitioners to join duty in the office of the second respondent as and when vacancies arise. Accordingly, these Writ Petitions are disposed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The General Manager,
Tamilnadu State Transport Corporation
(Coimbatore) Ltd,
No.37, Mettupalayam Road,
Coimbatore District-641 043.
2. The Manager,
Pollachi Branch,
Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
Pollachi.642001.

+1cc to Mr.P.Kannankumar, Advocate Sr.48795

WP Nos.29499 & 29500/2016

scd[co]
srg 22/10/2016

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