

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.12.2016

Coram

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.43512 of 2016
and
W.M.P.No.37339 of 2016

A.Ravichandran ... Petitioner

-Vs-

1. Tamil Nadu State Transport Corporation,
Managing Director,
Villupuram.
 2. Tamil Nadu State Transport Corporation,
General Manager,
Cuddalore.
 3. Tamil Nadu State Transport Corporation,
Branch Manager,
Virudhachalam Branch-2,
Virudhachalam.
- ... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records on the file of the 2nd respondent in proceedings Ka.Koo.01/102/Nil/TNSTC/ Ka.Ma/2016 dated 26.10.2016 and quash the same as illegal, incompetent and without jurisdiction.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.P.Kannankumar
for Transport Corporation

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O R D E R

By consent, the writ petition is taken up for final disposal. Mr.P.Kannankumar, learned Standing Counsel accepts notice on behalf of the respondents.

2. The petitioner would state that he joined the service of the Tamil Nadu State Transport Corporation as a trainee in the year 2007 and after successful completion of the training, he became a permanent government servant by proceedings dated

21.12.2009 issued by the first respondent. The petitioner claims that so far he has put in hard and sincere service to the satisfaction of the superiors. The petitioner would further aver that on 25.11.2016, when he reported for work, charged the ticket machine and cross checked the ticket book, to his shock and surprise, he found that his name was not listed in the attendance sheet for the day and when he contacted the 3rd respondent, he was informed that he was transferred from Virudhachalam-2 and posted at Cuddalore Branch-I.

3. It is the case of the petitioner that this type of sudden order of transfer will be allocated only to the juniors and new comers and daily wage workers. Since the petitioner, being a permanent employee, ought not to have been issued with such a sudden order of transfer and he was charged under clauses 3, 5 and 45 of the Corporation bye laws for petty issues and challenging the legality of the said order of transfer, he came forward to file this writ petition.

4. Mr.V.Raghavachari, learned counsel appearing for the petitioner has drawn the attention to the materials placed before this Court in the form of typed set of documents and would submit that no reasons whatsoever had been adduced in the impugned order of transfer and it appears to be a malafide one. Since the petitioner has so far put in hard and sincere service, the order of transfer ought to have been reviewed. In this regard, he has also submitted a representation dated 24.11.2016 to the 1st and 3rd respondents and prays for appropriate orders.

5. This Court heard the submission of Mr.Kannankumar, learned Standing Counsel appearing for the respondents/Transport Corporation.

6. Though the petitioner prays for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 1st and 3rd respondents to consider the petitioner's representation dated 24.11.2016 on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

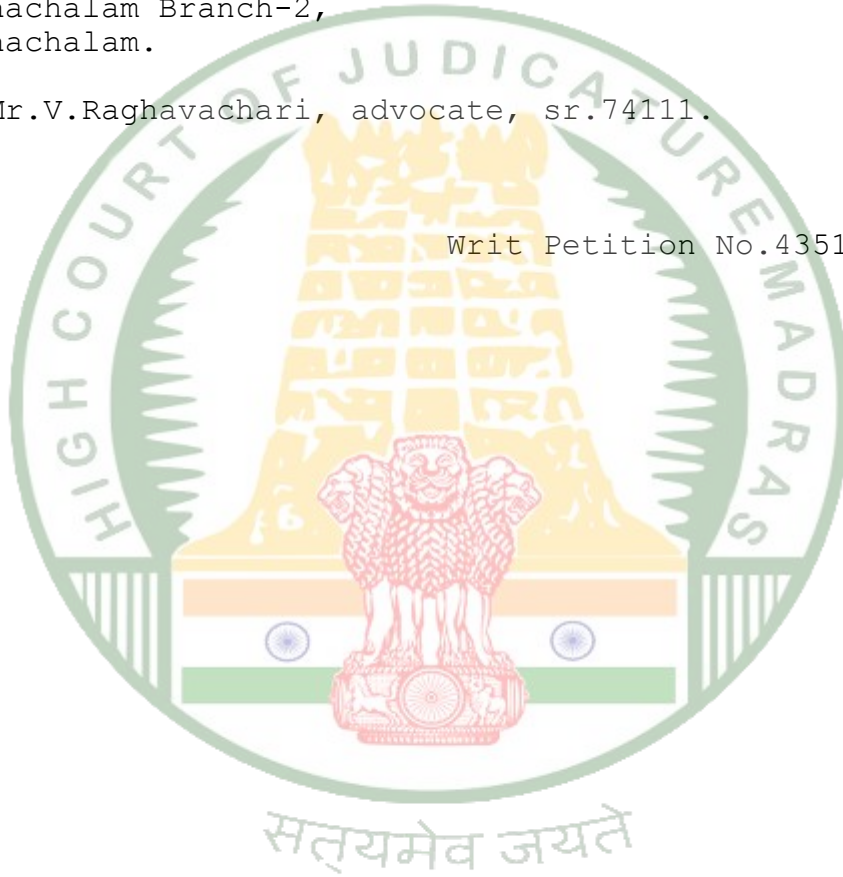
To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Villupuram.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Cuddalore.
3. The Branch Manager,
Tamil Nadu State Transport Corporation,
Virudhachalam Branch-2,
Virudhachalam.

+1 cc to Mr.V.Raghavachari, advocate, sr.74111.

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krd 6/1

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