



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.13348 of 2016

G.Nagendran

: Petitioner

Vs.

- 1.The Commissioner,
Labour Office,
BMS Commercial Complex,
Tenampet, Chennai - 600 018.
- 2.The Secretary,
Transport Department,
Tamil Nadu Transport Corporation,
Secretariat, St. George Fort,
Chennai - 600 009.
- 3.The Managing Director,
Tamil Nadu Transport Corporation,
27, State Express Corporation, New Salai,
Kumbakonam - 612 001.
- 4.The General Manager,
Tamil Nadu Transport Corporation,
Maruthupathi Nagar,
Karaikudi - 630 307.
- 5.The Branch Manager,
Ramnad Nagar Branch,
Ramanathapuram.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to initiate legal action against the respondents 3 to 5 for their illegal activities against the charges towards the petitioner and to get over his loss from their retirement benefit.

For petitioner

:Mrs.V.Jeyarani

For R-1 & R-2

:Mr.T.R.Janarthanam,

Additional Government Pleader

For R-3 to R-5

:Mr.D.Sivaraman

**O R D E R***********

The Petitioner Mr.G.Nagendran, who was working in the Tamil Nadu State Transport Corporation, as Driver from 13.05.1992, suffered an order of dismissal. Aggrieved by the same, the petitioner has come to this Court, seeking a Writ of Mandamus directing the respondents 1 and 2 to initiate legal action against the respondents 3 to 5, for their illegal activities.

2. This Court is not able to appreciate the prayer made by the petitioner for two reasons. Firstly, the petitioner was dismissed from service after holding departmental enquiry. Ironically, the petitioner has not challenged the correctness of the dismissal order. Secondly, the petitioner without proving that the dismissal order is wrongly passed, he cannot ask for action against the respondents 3 to 5. Therefore, this Writ Petition is liable to be dismissed.

3. In the result, this Writ Petition is dismissed. No Costs.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

- 1.The Commissioner,
Labour Office, BMS Commercial Complex,
Tenampet, Chennai - 600 018.
- 2.The Secretary,
Transport Department,
Tamil Nadu Transport Corporation,
Secretariat, St. George Fort, Chennai - 600 009.
- 3.The Managing Director,
Tamil Nadu Transport Corporation,
27, State Express Corporation, New Salai, Kumbakonam - 612 001.
- 4.The General Manager, Tamil Nadu Transport Corporation,
Maruthupathi Nagar, Karaikudi - 630 307.
- 5.The Branch Manager, Ramnad Nagar Branch, Ramanathapuram.

+1 cc to M/s.V.Jeya Rani, Advocate in SR.No.40532
+1 cc to M/s.D.Sivaraman, Advocate in SR.No.40777
+1 cc to The Special Government Pleader in SR.No. 40565

pm

CSL/KP/12.08.2016: 2p/9c