



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.23857 of 2015

and

W.M.P (MD) Nos.17196 and 17197 of 2016

Kandhasamy

... Petitioner

vs.

The General Manager,
Tamil Nadu Transport Corporation
Kumbagonam Ltd.,
Trichy Regional
Periyamilaguparai,
Trichy.

... Respondent

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 16.11.2015 passed by the respondent and quash the same and consequently permitting the petitioner to join at Manapparai depot.

For Petitioner	: Mr.K.Navaneetharaja
For Respondent	: Mr.D.Sivaraman

ORDER

The petitioner has filed this writ petition, seeking to quash the impugned order of transfer dated 16.11.2015 passed by the respondent and consequently, to direct the respondent to permit the petitioner to join at Manapparai depot.

2.The petitioner was initially appointed as a driver in the respondent corporation and due to the defective vision, he was provided the job of Helper at Manapparai depot. However, he was refused his seniority and monetary benefits and therefor, he made representation. While so, the respondent has passed the impugned transfer order transferring the petitioner from Manapparai depot to R.C. Unit, Thuvakudi. Hence, this writ petition.

3.Learned standing counsel appearing for the respondent has produced the proceedings of the Assistant Manager(Personnel) of the respondent corporation in பார்வை: தஅபொக/திருச்சி/பபி-பி4/720/2016 dated 14.12.2016, wherein, it has been stated that R.C. Unit, Thuvakudi, in which, the petitioner is presently working is functioning only in day time and there is no vacancy of Helper at Manapparai depot and it is further stated that as and when vacancy arises in the post of Helper at Manapparai depot, the request of the petitioner would be considered.

4.Considering the fact that there is no vacancy of Helper at Manapparai depot and in view of the assurance given in the proceedings dated 14.12.2016 that the request of the petitioner to post him at Manapparai depot as Helper, would be considered as and when vacancy arises in the said place, this Court is not inclined to interfere with the impugned order.

5.Hence, placing on record the proceedings of the Assistant Manager(Personnel) of the respondent corporation in பார்வை: தஅபொக/திருச்சி/பபி-பி4/720/2016 dated 14.12.2016, this Writ Petition is disposed of. No costs. Consequently, W.M.P(MD)Nos.17196 and 17197 of 2016 are closed.

Sd/-
Deputy Registrar

/True Copy/

Sub Assistant Registrar

To

The General Manager,
Tamil Nadu Transport Corporation
Kumbagonam Ltd.,
Trichy Regional
Periyamilaguparai,
Trichy.

+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 80977
+ 1 CC TO Mr.S.M.A.JINNAH, ADVOCATE IN SR No. 81169

NBI
TE/PV : 03/01/2017 : 2P/4C

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