



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.12.2016
CORAM:

THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN

WEB COPY

W.P. (MD) No. 24592 of 2016
and W.M.P. (MD) No. 17715 of 2016

K. Kumaravel

... Petitioner

Vs.

1. The Principal Secretary / Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
Head Office,
No. 12, Thambusamy Road,
Keelpauk, Chennai - 10.

2. The General Manager,
(Administration),
Tamil Nadu Civil Supplies Corporation Ltd.,
Head Office,
No. 12, Thambusamy Road,
Keelpauk, Chennai - 10.

3. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
North Region, Chennai.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari and Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in proceedings Se. Mu. Aa. No. AD1/5171/2016 dated 12.11.2016 and quash the same as illegal and arbitrary and consequently, direct the respondents to reinstate the petitioner in service with backwages and all other attendant and other service benefits including continuity of service.

For Petitioner : Mr. B. Saravanan
For Respondents : Mr. Nagarajan

O R D E R

This Writ petition has been filed to quash the impugned order dated 12.11.2016 passed by the 1st respondent in Se. Mu. Aa. No. AD1/5171/2016 and consequently, direct the respondents to reinstate the petitioner in service with back-wages and all other attendant and other service benefits including continuity of



service.

2.The petitioner has been removed from service for misconduct after conducting a domestic enquiry. Admittedly, the petitioner is a workman covered under the Industrial Disputes Act as the respondent is an industry with definition of Section 2(A) of the Industrial Disputes Act, 1947 and that the appeal filed by the petitioner, has also been rejected. The remedy available to the petitioner is to raise an industrial dispute before the Conciliation Officer and it is for the Labour Court to decide the issue as to whether the punishment imposed by the respondent / Management is proper or not. Since the petitioner has got effective alternative remedy before the appropriate forum, this Court is not inclined to entertain this Writ petition and the same is dismissed. No costs. Consequently, connected W.M.P.is closed.

Sd/-

Assitant Registrar(C)

/True copy/

Sub Assistant Registrar

To

1.The Principal Secretary / Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
Head Office,
No.12, Thambusamy Road,
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3.The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
North Region, Chennai.

+1cc to M/S.D.MAYA RAJAN, Advocate SR.No.82652

+1cc to M/S.B.SARAVANAN, Advocate SR.No.83013

Nbj

AAM-SV MMS 08.03.2017 2P 6C