



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

AND

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P. [MD] .No.1493 of 2013

I.Devaram Justin : Petitioner

Vs.

1.State of Tamil Nadu, rep. by its
Secretary, Transport Department,
Secretariat, Chennai-600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation
(Thirunelveli) Ltd.,
Vannarpet, Thirunelveli-627 001,
Nellai District.

3.The General Manager,
Tamil Nadu State Transport Corporation,
(Thirunelveli),
Rani Thottam, Nagercoil-629 001,
Kanyakumari District.

4. T.Thomas Abraham
Assistant Manager (Legal and Discipline)
TamilNadu State Transport Corporation
(Tirunelveli)Rani thottam, Nagercoil 629 001
Kanyakumari District. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Quo Warranto calling upon the fourth respondent herein to show cause as to under what authority he holds and remains in position as Assistant Manager (Legal and Discipline) in the third respondent Corporation.

For Petitioner : Mr.M.Dennis Joe
For Respondent No.1 : Mr.M.Rajarajan,
Government Advocate
For Respondents 2to4 : Mr.K.Sathiya Singh

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

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Writ Petition, questioning the authority of the fourth respondent to function as Assistant Manager (Legal and Discipline) in the third respondent Tamil Nadu State Transport Corporation, on the ground that he does not satisfy the eligibility criteria, namely, degree in law awarded by a recognized University. It is further stated that he does not have sound knowledge of Corporate Laws, as required in the Service Rules.

2. When the Writ Petition was taken up today, the learned Standing Counsel appearing for the respondents 2 to 4 submitted that the fourth respondent was not appointed as Assistant Manager (Legal and Discipline) on regular basis, but, he was only in-charge for some time and now, he has been transferred to Coimbatore State Transport Corporation as General Manager. It is further submitted that one Mr.Edison is now functioning as Assistant Manager (Legal and Discipline), who has got all the required qualifications.

3. In view of the same, the Writ Petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar(Records)

/TRUE COPY/

Sub Assistant Registrar

To
The Secretary, Transport Department,
State of Tamil Nadu,
Secretariat,
Chennai-600 009.

+1cc to M/S.M.DENNIS JOE, ADVOCATE SR NO: 56138
+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 56408
+1cc to M/S.K.SATHIYA SINGH, ADVOCATE SR NO: 56011

sml
JA-SKS-RR-6.10.2016-2P:5C

Order made in
W.P.[MD].No.1493 of 2013
Dated: 26.09.2016