



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2017

CORAM:

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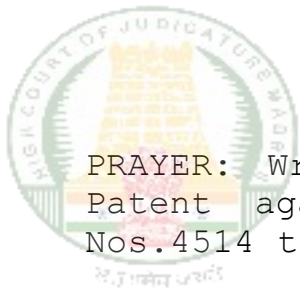
THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.[MD].Nos.332 to 336 of 2017
and
C.M.P. (MD) .Nos.3316 to 3324 of 2017

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai) Limited, Bye-pass Road,
Madurai 625 010.
- 2.The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Limited, Dindigul Region,
Bye-pass Road, Collectorate, Dindigul 624 004.
: Appellants in All Writ Appeals

Vs.

- 1.K.R.Mathialagan
- 2.The Principal Secretary to Government,
Transport Department, Secretariat, Chennai 600 009.
: Respondents in Writ Appeal (MD).No.332 of 2017
- 1.R.Rajamanickam
- 2.The Principal Secretary to Government,
Transport Department, Secretariat, Chennai 600 009.
: Respondents in Writ Appeal (MD).No.333 of 2017
- 1.T.Loganathan
- 2.The Principal Secretary to Government,
Transport Department, Secretariat, Chennai 600 009.
: Respondents in Writ Appeal (MD).No.334 of 2017
- 1.S.Ragavan
- 2.The Principal Secretary to Government,
Transport Department, Secretariat, Chennai 600 009.
: Respondents in Writ Appeal (MD).No.335 of 2017
- 1.T.Murugesan
- 2.The Principal Secretary to Government,
Transport Department, Secretariat, Chennai 600 009.
: Respondents in Writ Appeal (MD).No.336 of 2017



PRAYER: Writ Appeals are filed under Clause 15 of the Letters Patent against the order dated 03.11.2016 made in W.P.(MD). Nos.4514 to 4518 of 2015 of 2015, on the file of this Court.

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Common Prayer in WP(MD)Nos.4514/2015 to 4518 of 2015:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings issued by the 3rd respondent in his lettter NO.Ref.TNSTC: 1457/2010 dated 14.03.2011 and quash the same and consequently to direct the respondents to redesignate the petitioner is as Junior Assistants retrospectively from the date of their initial appointment as Clerk based on the orders passed in the Govt. letter No. 11155/C3/92-1 dated 24.07.92 and on par with 35 employees who were similarly placed and who were redesignated as Junior Assistants retrospectively from the date on which they have been initially appointed as clerks as per the orders passed by the Respondent Corporation in his proceedings Ref. No. ADMN/A1/8174/2008, dated 25.03.2009 and also to extend all the monetary and consequential benefits to the Petitioners.

For Appellants : Mr.A.Jeyaram
Standing Counsel

For Respondent Nos.1 : Mr.S.Govindan for Caveator

COMMON JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.A.Jeyaram, learned Standing Counsel appearing for the appellants and Mr.S.Govindan, learned counsel appearing for the first respondents in all the Writ Appeals. By consent, the Writ Appeals are taken up for final disposal at the stage of admission itself.

2. These Writ Appeals are directed as against the Common Order dated 03.11.2016 made in W.P.(MD).Nos.4514 to 4518 of 2015 of 2015.

3. The Writ Petitions were filed by the first respondents/Writ Petitioners for issuance of a Writ of Certiorarified Mandamus to quash the order issued by the third respondent therein dated 14.03.2011 and for a consequential direction to the respondents ~~therein to~~ redesignate the Writ Petitioners as Junior Assistants retrospectively with effect from the date of their initial appointments as Clerk, based on the orders passed by the



Government dated 24.07.1992 and on par with 35 employees, who were similarly placed and who were re-designated as Junior Assistants retrospectively, in terms of the order passed by the appellants Corporation dated 25.03.2009 and also to extend all the monetary and consequential benefits to them.

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4. The learned Single Judge, taking into consideration the earlier order passed in W.P.(MD).Nos.11076 and 11476 of 2014 and W.P.(MD).No.4479 of 2015, dated 12.10.2015, disposed of the said Writ Petitions. The learned counsel appearing for the first respondents/Writ Petitioners submitted that the orders passed in the Writ Petitions have been implemented and an identical issue was considered by two other Hon'ble Division Benches of this Court in W.A.(MD).No.981 of 2015, dated 29.09.2015 and W.A.(MD).No.83 of 2017, dated 30.01.2017.

5. We have gone through the above decisions referred to by the learned counsel appearing for the first respondents/Writ Petitioners. The issue involved in the present Writ Appeals is squarely covered by the decisions referred to supra.

6. In the light of the Judgments passed by the Hon'ble Division Benches, which are stated to have been implemented, the present Writ Appeals filed by the Tamil Nadu State Transport Corporation are dismissed, confirming the order dated 03.11.2016 made in W.P.(MD).Nos.4514 to 4518 of 2015 of 2015, passed by the learned Single Judge. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai) Limited, Bye-pass Road, Madurai 625 010.
 - 2.The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Limited, Dindigul Region,
Bye-pass Road, Collectorate, Dindigul 624 004.
 - 3.The Principal Secretary to Government,
Transport Department, Secretariat, Chennai 600 009.
- +One cc to Mr.A.Jeyaram, Advocate, SR.No.52192
+One cc to The Special Government Pleader, SR.No.52058
+5 ccs to Mr.S.Govindan, Advocate, SR.No.51593

NB

RL/11C/3P/SV/MMS/SAR2/24.4.2017

COMMON JUDGMENT MADE IN
W.A.[MD].Nos.332 to 336 of 2017