



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2017

CORAM:

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

W.A.[MD].No.918 of 2017
and
C.M.P.[MD]No.6148 of 2017

The Management,
Tamil Nadu State Transport Corporation,
(Madurai)Limited, Dindigul Region,
Bye-Pass Road, District Collector Office Road,
Dindigul-624 004. : Appellant/Petitioner

Vs.

1.The Special Deputy Commissioner of Labour,
O/o, Commissioner of Labour,
Chennai-600 006.
2.B.Pandiaraj. : Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent to against the order of this Court in W.P.(MD)No.14179 of 2014 dated 27.08.2014.

Prayer in WP(MD). 14179/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records of the 1st respondent in his proceedings in Approval petition No.59/2011 dated 27.12.2012, quash the same.

For Appellant : Mr.A.Jeyaram

For Respondents : Mr.T.Jeen Joseph

JUDGMENT

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

Heard Mr.A.Jeyaram, learned counsel appearing for the appellant and Mr.T.Jeen Joseph, learned counsel appearing for the

<https://hcservices.ecourts.gov.in/hcservices/>

2.By consent, the Writ Appeal is taken up for final disposal.



3.This Writ appeal is directed as against the order dated 27.08.2014 made in W.P.(MD)No.14179 of 2014.

4.The appellant Transport Corporation challenging the order passed by the Special Deputy Commissioner of Labour, Chennai, refusing to grant approval for the dismissal of the second respondent herein, by his order dated 27.12.2012 had filed the Writ Petition.

5.The said authority found that there has been total violation of principles of natural justice and the allegation of unauthorized has not been established. The appellant management did not take any steps to challenge the order immediately, but filed the writ petition in the year 2014.

6.The Writ Court considering the facts held that the appellant had not filed the writ petition within a reasonable time and there is no reason given by the appellant corporation justifying the delay. Therefore, the Writ Petition is dismissed.

7.We find from the records that the Writ Appeal has been filed with a delay and therefore the appellant sought for condonation of delay. Considering the factual position, we condoned the delay and taken up the Writ Appeal for hearing. There is no reason assigned by the appellant/management to belatedly challenge the order passed against the second respondent. Thus, we find no good grounds to interfere with the order.

8.Accordingly, this Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Management,
Tamil Nadu State Transport Corporation,
(Madurai)Limited, Dindigul Region,
Bye-Pass Road, District Collector Office Road,Dindigul-624 004.
- 2.The Special Deputy Commissioner of Labour,
O/o, Commissioner of Labour,Chennai-600 006.

Myr/dss

RL/3C/2P/KP/SAR1/28/7/2017

JUDGMENT MADE IN

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and

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