

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 18.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA**W.P. (MD) No.12947 of 2017****and****W.M.P. (MD) Nos.10036 and 10037 of 2017**

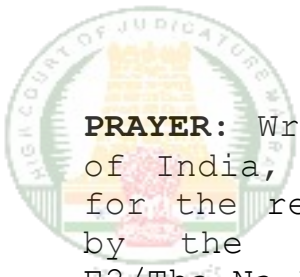
R.Prabhu

... Petitioner

Vs.

1. Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.
3. The Branch Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.
4. C.Elangovan,
S/o.Chinnadurai,
Time Keeper/Checking Inspector,
Staff No.86CR1003,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikal Bus Stand,
Puducherry State.
5. D.Murugesan,
President of Anna Thozhirsanga Peravai Union,
Driver, Staff No.86DR1126,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Branch,
Nagapattinam.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned transfer order passed by the second respondent in Ref. Ku.Aa.No.: 07-02/Pa.Pi-E2/Tha.Na.Aa.Ko.Pa.(Ku) Nagai/2017, dated 03.07.2017 and quash the same.

For Petitioner : Mr.A.Rahul.
For R1 to R3 : Mr.D.Sivaraman,
Standing Counsel for TNSTC.

ORDER

Mr.D.Sivaraman, learned Standing Counsel takes notice for the respondents 1 to 3. By consent, the Writ Petition is taken up for final disposal.

2.The petitioner has come to this Court against the impugned order of transfer, passed by the General Manager, Tamil Nadu State Transport Corporation (Kumbakonam) Ltd., Nagapattinam Region, Nagapattinam, the second respondent herein, transferring him to Peravurani Branch, Thanjavur District from Nagapattinam Branch, on the ground that when the Managing Director of the Tamil Nadu State Transport Corporation Ltd., alone has got power to transfer the persons from one region to another region, the present impugned order passed by the General Manager, transferring the petitioner from one region to another region is without jurisdiction.

3.Mr.D.Sivaraman, learned Standing Counsel appearing for the respondents 1 to 3, on instructions, submitted that liberty may be given to pass a fresh order by the competent authority, since the present impugned order has been passed without jurisdiction.

4.Recording the abovesaid submission made by the learned Standing Counsel appearing for the respondents 1 to 3, the impugned transfer order passed by the second respondent herein, dated 03.07.2017, is set aside and the Writ Petition is allowed with liberty to the respondents to pass appropriate orders in the manner known to law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.



2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

3. The Branch Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

+1cc to M/S. D.SIVARAMAN, Advocate, SR.No.66015.

W.P. (MD) No.12947 of 2017
18.07.2017

smn2/gsp
SDS/SKN:RSK/SAR 3/20.07.2017/3P/5C