



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.13399 of 2017

and

W.M.P.(MD)No.10457 and 10458 of 2017

L.Rajalingam

... Petitioner

vs.

- 1.The General Manager,
Nagercoil Region,
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,,
Nagercoil,Kanyakumari District.
- 2.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Kattabomman Nagar,
Tirunelveli-11 represented by its
Managing Director.
- 3.R.Venkatasubramanian,
Tradesman(EDP No.3051),
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Ranithottam workshop,Nagercoil,
Kanyakumari District.
- 4.K.Thanumalyan,
Tradesman(EDP No.3795),
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Ranithottam Branch, Nagercoil,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the first respondent in Proceedings No.5640/A3/TNSTC/NGL/2008 dated 18.05.2015 and to quash the same and consequently direct the respondents 1 and 2 to place the petitioner in the appropriate place in the seniority list of Diploma holders in Technical working Group eligible for promotion to the post of Junior Engineer.

For Petitioner

: Mr.V.Kannan

For Respondents 1and 2

: Mr.K.Sathiya Singh

Standing counsel for TNSTC

**ORDER**

By consent of both sides, this writ petition itself is taken up for final disposal.

2. Heard the learned counsel for the petitioner and Mr.K.Sathiya Singh, who takes notice for the respondents Corporation.

3. The petitioner, after sleeping over a period of two years and three months, has come to this Court, questioning the circular, dated 18.05.2015, issued by the first respondent/General Manager of the Tamil Nadu State Transport Corporation, Nagercoil Region. The said circular has simply asked for objection, if any, with regard to the tentative seniority list of Diploma holders in technical working group eligible for promotion to the post of Junior Engineer as on 18.05.2015, who put in service of five years or more in Tradesman cadre. But, it appears that the petitioner has not given any objection to the said tentative seniority list dated 18.05.2015. His claim is that when similarly placed persons came to this Court in W.P.(MD)No.10890 of 2010 to follow the CSR Rules, while filling up of Rules the post of Junior Engineer by taking into account the service seniority, this Court in W.P.(MD)No.10890 of 2010 dated 25.02.2013 passed an order to consider the case of the petitioner therein in the August 2008 seniority list. When the petitioner is indeed similarly placed on par with one Ayyadurai, who was the petitioner in W.P(MD)No.10890 of 2010, the petitioner herein should have immediately given his representation on the basis of the said order. But it is seen that no such representation has been ever made. On the other hand, a legal notice dated 13.10.2015, which is said to have been issued, has been enclosed. But, there is no proof or acknowledgment for the same also. As the petitioner has issued a legal notice dated 13.10.2015, he should have immediately taken resort to this Court. Having kept quiet for a long time, he has come to this Court challenging the old proceedings dated 18.05.2015. Therefore, this Court is not inclined to entertain this belated writ petition.

4. Hence, this writ petition is dismissed, in view of the long delay. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

+1cc to Mr.K.SATHIYA SINGH Advocate in SR. No.66529

+1cc to Mr.V.KANNAN Advocate in SR. No.66515

MRN/RR

JS/KK/SAR.1/9.8.2017/2P-3C

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and

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