



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.04.2018

C O R A M:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.A(MD)No.578 of 2018
and
C.M.P(MD)No.3250 of 2018

S.Joseph

... Appellant/Petitioner

Vs.

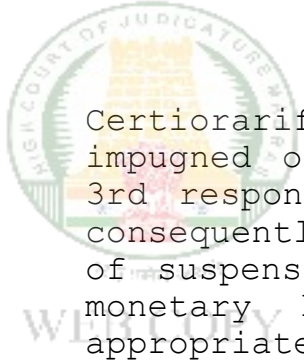
- 1.The Managing Director,
Head Office,
Tamilnadu State Transport Corporation (Madurai) Limited,
Bye Pass Road, Madurai - 625 016.
- 2.The General Manager,
Madurai Region,
Tamilnadu State Transport Corporation(Madurai) Limited,
Bye Pass Road, Madurai - 625 016.
- 3.Mr.T.Kumaresan, Staff No.AM 00010,
Previous General Manager(Retd),
Madurai Region,
Tamilnadu State Transport Corporation (Madurai) Limited.,
Bye Pass Road, Madurai - 625 016.
- 4.Mr.S.Natarajan, Staff No.AS07795,
Superintendent, Madurai Region,
Tamilnadu State Transport Corporation (Madurai) Limited.,
Bye Pass Road, Madurai - 625 016.
- 5.Mr.P.Arivanandam (Staff No.AM 14254),
Former Manager of Mofussil Branch,
Madurai Region,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bye-pass Road, Madurai - 625 016. ... Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order passed in W.P(MD)No.16096 of 2017 dated 28.08.2017 and to grant the reliefs as prayed for by the petitioner in the above writ petition in W.P(MD)No.16096 of 2017.

Prayer in WP(MD). 16096/ 2017 :

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

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 in connected with impugned order onathu/D2/Pura/1431 dated 31.12.2013 passed by the 3rd respondent and quash the same as illegal, null and void and consequently directing the 2nd respondent to consider the three days of suspension on the petitioner as duty days and to pay all the monetary benefit and directing the 1st respondent to take appropriate action against the erring officers as 3rd, 4th and 5th respondents and grant him suitable compensation for the mental agony caused.

For Appellant : Mr.S.Joseph(Party-in-person)

JUDGMENT

(Judgment of the Court was delivered by M.DURAISWAMY, J.)

Challenging the order passed in W.P(MD)No.16096 of 2017, dated 28.08.2017, the employee has filed the above Writ Appeal.

2. Challenging the impugned order dated 31.12.2013 passed by the third respondent, the appellant/writ petitioner has filed the Writ Petition for the issuance of a Writ of Certiorarified Mandamus, to direct the second respondent to consider the three days suspension as duty days, to pay all monetary benefits and to direct the first respondent to take appropriate action on the erring Officers as third, fourth and fifth respondents and grant him suitable compensation for the mental agony caused to him.

3. Though the impugned order was passed on 31.12.2013, by the second respondent, the appellant/writ petitioner has approached this Court only in the year 2017 that too without approaching the Labour Court. As against the impugned order dated 31.12.2013, the appellant/writ petitioner should have approached the Labour Court seeking for appropriate relief. That apart, the appellant/writ petitioner has not explained the inordinate delay in filing the Writ Petition before this Court, in a proper manner.

4. Taking into consideration these two aspects, the learned single Judge has rightly dismissed the Writ Petition. We find no reason to interfere with the order passed by the learned single Judge. The Writ Appeal is devoid of merits and the same is dismissed. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/



To

+2cc to M/S.S.Joseph, (Party-in-person) SR.No. 61165

WEB COPY

JUDGMENT MADE IN
W.A (MD) No.578 of 2018
11.04.2018

pm

JM/SV MMS/SAR 4/02.05.2018/3P/3C