



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD).No.13363 of 2018

and

W.M.P (MD).No.12170 of 2018

P.Suresh

...Petitioner

Vs.

1. The Management of
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
rep. By its General Manager,
Dindigul.

2. The Branch Manager,
Dindigul III Branch of
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Dindigul.

...Respondents

PRAYER: Petition filed under Article 226 of Constitution of India, to issue a Writ of Declaration, to declare that the action of the respondents transferring the petitioner from the second respondent branch to Palani branch of the first respondent Corporation by the order of the first respondent dated 23.05.2018 passed in Ref: Admn:P1/591 and the relieving order of the second respondent dated 24.05.2018 passed in Reference:Dindigul-III No.D-3 SPL as illegal and consequently, direct the respondents to treat the period from 25.05.2018 to the date of allowing/permitting him to work as his working days and to pay him all benefits including wages for the same, award cost.

For Petitioner :Mr.S.Arunachalam

For Respondents :Mr.A.Jeyaram

ORDER

This petition has been filed to declare the action of the respondents in transferring the petitioner from the second respondent branch to branch of the first respondent/ Corporation by the order dated 23.05.2018 passed in Ref: Admn:P1/591 by the first respondent and the relieving order of the second respondent dated 24.05.2018 in Reference:Dindigul-III No.D-3 SPL as illegal and consequently, direct the respondents to treat the period from 25.05.2018 to the date of allowing/permitting him to work as his duty period and to pay all benefits including wages and award cost.



2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. When the matter is taken up for hearing, it is represented by Mr. A. Jeyaram, learned counsel appearing for the respondents that there is a vacancy in Dindigul-II and that the petitioner can be accommodated. The learned counsel for the petitioner has no objection to the same.

4. In view of the aforesaid submissions, no further adjudication is required in this writ petition. Hence, the Writ Petition is disposed of with liberty to the petitioner to join aforesaid place, within a period of one week from the date of receipt of a copy of this order. The period between 25.05.2018 to till the date of joining will be treated as no work no pay only, but the same would be counted for other purpose. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-I)

+1 CC to Mr. S. Arunachalam, Advocate, SR.No.83841

+1 CC to Mr. A. Jeyaram, Standing Counsel for TNSTC, SR.No.83930

rmk
SS/SKN/SAR 1/03.12.2018/2P/3C

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