



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated : 12.01.2018

CORAM :
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P (MD) No.19539 of 2014
and
MP (MD) Nos.1 & 2 of 2014

D.Sundararaju

.... Petitioner

Vs.

1.The Transport Commissioner,
Chepauk, Chennai - 600 005.

2.The Regional Transport Officer,
Marthandam,
Kanniyakumari District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the first respondent in his proceedings R.No.4950/R1/2014 (E.O.No.395/2014) dated 26.09.2014 and the proceedings R.No.35380/R1/2013 (E.O.No.446/2014) dated 24.11.2014 and quash the same and direct the respondents to confer all the consequential benefits to the petitioner.

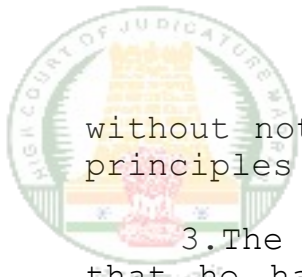
For Petitioner : Mr.V.Panneer Selvam for
M/s.C.S.Associates.

For Respondents : Mr.J.Gunaseelan Muthaiah,
Additional Government Pleader

O R D E R

The writ petitioner is an employee in the respondent transport corporation. By proceedings dated 04.03.2014, the writ petitioner's name was included for promotion to the post of Motor Vehicles Inspector(N.T). By proceedings dated 02.06.2014, the Joint Transport Commissioner(A) (i/c), Chepauk, Chennai promoted the writ petitioner as Motor Vehicles Inspector(N.T) and posted him at Kaliakavilai Check Post.

2.Citing the framing of charge memo in TDP No.5 of 2014 on 02.09.2014, the impugned order dated 24.11.2014 came to be passed. By the impugned order dated 24.11.2014, the writ petitioner was reverted from the post of Motor Vechicles Inspector (N.T) to the post of Superintendent. Such an order of reversion was passed



without notice to the writ petitioner. Therefore, on the ground of principles of natural justice, the impugned order is quashed.

3.The learned counsel appearing for the writ petitioner submits that he had the benefit of the order of interim stay during the pendency of this writ proceedings. Since the impugned order is quashed only on the ground of principles of natural justice, the matter is remitted to the file of the first respondent for fresh consideration in accordance with law.

4.This writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1.The Transport Commissioner,
Chepauk, Chennai - 600 005.

2.The Regional Transport Officer,
Marthandam,
Kanniyakumari District.

+1cc to Mr.V.PANNEER SELVAM,Advocate,SR. 42398

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KK/SKN RSK/SAR 1/08.02.2018/ 2P- 4C/