

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.697 of 2019

and

WMP.No.767 of 2019

R. Anbuselvan

..Petitioner

vs

1. The General Manager,
Tamil Nadu State Transport Corporation Villupuram Ltd.,
Villupuram Division, Villupuram District.

2. Deputy Manager (Legal)
Tamil Nadu State Transport Corporation Villupuram Ltd.,
Villupuram Division, Villupuram District.

3. P.Natarajan .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus or any other writ or order or direction directing the respondents to consider the petitioner representations dated 12.12.2018 and 13.12.2018 consequently recover the loss caused by the 3rd respondent to the transport department and workers by attaching his property and retirement benefits and pass orders.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.Rajeni Ramadoss for R1 and R2

ORDER

With the consent of both the parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

The petitioner has filed this Writ Petition seeking Mandamus to issue direction to the respondents to consider the petitioner representations dated 12.12.2018 and 13.12.2018 and consequently recover the loss caused by the 3rd respondent to the transport department and workers by attaching his property and retirement benefits

2. The learned counsel for the petitioner would submit that on the basis of several representations made by the petitioner

to R1 and R2, disciplinary proceedings were initiated against R3, for the loss caused by him to the Transport Department and workers. Subsequently, the petitioner preferred W.P.No.26768 of 2017, wherein this Court directed R1 and R2 to consider the representation of the petitioner and to look into the section 81 proceedings against R3. Despite this, R1 relieved R3 and no effective steps are taken by R1 and R2 against R3. Hence, the present Writ Petition.

3. The learned counsel appearing for the transport corporation would submit that if any charges are pending the same will be dealt with as per the procedure following the due provisions. Further, the first respondent was well aware of the disciplinary proceedings pending against the third respondent and therefore only after withholding all the retirement benefits, pending disposal of the disciplinary proceedings, R3 was permitted to retire on 31.10.2017 and the revenue loss caused to the Transport Corporation will be properly appropriated. In view of the above, nothing survives in the Writ Petition and accordingly the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The General Manager,
Tamil Nadu State Transport Corporation Villupuram Ltd.,
Villupuram Division, Villupuram District.

2. The Deputy Manager (Legal)
Tamil Nadu State Transport Corporation Villupuram Ltd.,
Villupuram Division, Villupuram District.

+1 cc to M/s.S.N.Subramani, Advocate Sr.No. 79175
+1 cc to M/s.S.Rajeni Ramadass, Advocate Sr.No. 80304

AKM/05.12.19/2P-3C /

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