



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.17863 of 2019

and

W.M.P. (MD) No.14339 of 2019

WEB COPY

Subramanian

... Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Karaikudi Depot.

3.The Branch Manager,
Tamil Nadu State Transport Corporation,
Rameswaram.

... Respondents

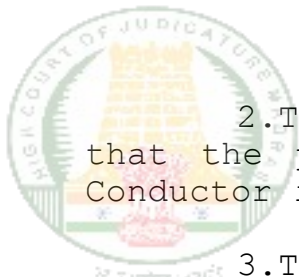
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings issued by the second respondent in No.Th.Aa.Po.Ka./ni.pi./Aa 4/771, dated 15.07.2019 and consequent proceedings vide No.Th.Aa.Po.Ka./ni.pi./Aa 4/771, dated 26.07.2019 and quash both the proceedings as illegal and unconstitutional and consequently, direct the respondents herein to permit the petitioner to continue to work as Security under the third respondent and pay all back wages and attendant benefits within the time stipulated by this Court.

For Petitioner : Mr.N.Mariappan

For Respondents : Mr.D.Sivaraman

ORDER

The proceedings of the second respondent dated 15.07.2019 and 26.07.2019 are sought to be quashed in the present Writ Petition. Further direction is sought for to direct the respondents to permit the petitioner to continue to work as Security under the third respondent and pay all back wages and attendant benefits, within the time stipulated by this Court.



2.The learned counsel appearing for the petitioner submitted that the petitioner is ready to work other than the Driver and Conductor in the respondent Corporation.

3.The learned counsel appearing for the respondents submitted that the respondents are ready to give alternative work to the petitioner other than Driver and Conductor.

4.In view of the aforesaid submissions, without deciding the issue on merits, this Writ Petition is disposed of, directing the petitioner to report for duty to the second respondent on 29.11.2019. On such report, the second respondent is directed to consider the case of the petitioner and to provide alternative job, other than the Driver and Conductor. However, it is made clear that the petitioner is not entitled for monetary benefits for the non-employment period. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS- II)

To

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Karaikudi Depot.

3.The Branch Manager,
Tamil Nadu State Transport Corporation,
Rameswaram.

+1 CC to M/s.N. MARIAPPAN, Advocate(SR-101866[F] dated 27/11/2019)

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27.11.2019

myr

ES/28.11.2019/2P/5C