

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :23.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NOS. 20961 to 20963 of 2013

A.Paramasivam	...	Petitioner	in WP.20961/2013
K.Sellamuthu	...	Petitioner	in WP.20962/2013
A.Thangavel	...	Petitioner	in WP.20963/2013

- vs -

- 1.The Secretary to Government,
Transport (RW1) Department,
Secretariat, Chennai 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation,
Kovai Division,
Coimbatore.
- 3.The Branch Manager,
Pollachi Branch I
Tamil Nadu State Transport Corporation,
Kovai Division,
Pollachi, Coimbatore District. .. Respondents in all WPs.

Writ petitions filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus, directing the 1st respondent to consider and dispose the petitioners representation dated 19.6.2013, 22.06.2013 and 21.6.2013 indicating the findings of this Court about the entitlement of the petitioners to the relief sought for in their representations and then to pass appropriate orders by considering the representations on merits in the light of findings of this Honourable Division Bench order in writ Appeal (MD) NO.38 of 2010 and in accordance with law with in a time frame.

In all WPs

For Petitioner : M/S.R.Y.George Williams

For Respondents: Mr.S.Thangavel, Spl.G.P.for R1
: M/S.S.Sriraman for R2
: Mr.A.Sundaravadanam for R3

COMMON ORDER

As the relief sought for in these petitions are similar in nature, they are disposed of by this common order.

2.The Writ petitions are filed by the petitioners, to direct the 1st respondent to consider and dispose the petitioners representation dated 19.6.2013, 21.06.2013 and 22.6.2013 indicating the findings of this Court about the entitlement of the petitioners to the relief sought for in their representations and then to pass appropriate orders by considering the representations on merits in the light of findings of this Honourable Division Bench order in W.A. (MD) NO.38 of 2010 and in accordance with law with in a time frame.

3.On perusal of the affidavit filed by the petitioners, it appears that the petitioners joined in their respective post of conductor/driver in the respondent corporation and working at Pollachi Branch. It is the grievance of the petitioners that though they are working sincerely and discharging all the duties entrusted to them, however, one employee, viz., Mr.Thandapani conductor staff NO.11004 has been continuously getting salary without doing any work for the last three years and, therefore, representation was given to take action against the said employee. However, no orders have been passed on the said request of the petitioners, which prompted the petitioners to file the present writ petition.

4. Though such a prayer is made, however it transpires from the record that the said Thandapani, against whom action is sought to be taken, has since retired from service on 31.07.2013. Hence there is no question of taking action against a person who is no longer in the service of the Corporation. Hence the prayer made in the writ petitions have become infructuous.

5. In such view of the matter, nothing survives for further adjudication in these writ petitions. Accordingly these writ petitions are closed. However there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

jrs

To

1.The Secretary to Government,
Transport (RW1) Department,
Secretariat, Chennai 600 009.

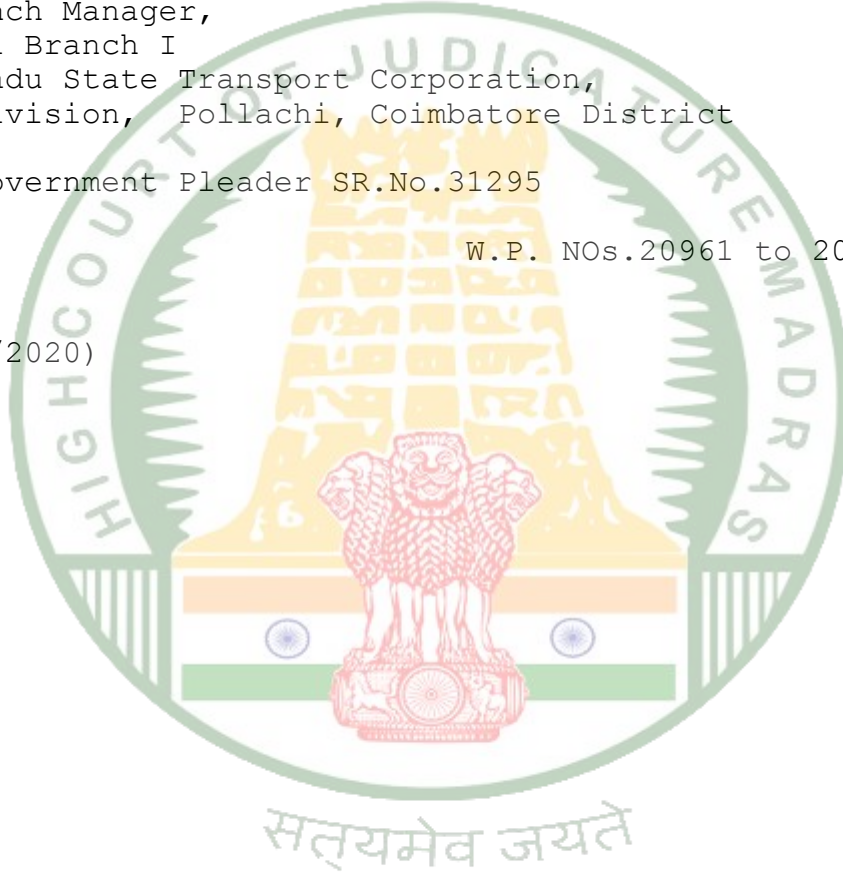
2.The Managing Director,
Tamil Nadu State Transport Corporation,
Kovai Division,
Coimbatore.

3.The Branch Manager,
Pollachi Branch I
Tamil Nadu State Transport Corporation,
Kovai Division, Pollachi, Coimbatore District

+1cc to Government Pleader SR.No.31295

W.P. NOS.20961 to 20963 of 2013

KK (CO)
GMY (21/10/2020)



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