

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2020

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.NO.26697 OF 2018

S.Shanmugam

... Petitioner

-vs-

1. The General Manager,  
Management,  
Tamilnadu State Transport Corporation (VPM) Ltd.,  
Cuddalore Region,  
Cuddalore - 607 002.

2. The Special Deputy Commissioner of Labour,  
Teynampet,  
Chennai.

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent Corporation to reinstate the Petitioner with continuity of service and backwages within a time frame.

For Petitioner : Mr.N.Sundaramurthy

For Respondents: Mr.C.S.K.Sathish,  
Standing Counsel (for R1)

Mr.D.Sathyaraj,  
Special Government Pleader (for R2)

O R D E R  
(through video conference)

The Writ Petition has been filed for a direction to the Respondent to reinstate the Petitioner with continuity of service and pay backwages in furtherance to the order dated 31.01.2018 in A.P. No. 30 of 2015 passed by the Second Respondent refusing to grant approval under Section 33(2)(b) of the Industrial Disputes Act, 1947, for the termination of the Petitioner on the charge of misappropriation of funds collected for bus tickets issued to the passengers in Order in Ka. Ku. No.

390/D1/ TNSTC/KM/2014 dated 12.01.2015.

2. This Court by separate order dated 30.09.2020 in the Writ Petition in W.P. No. 13824 of 2019 filed by the First Respondent has set aside the order dated 31.01.2018 in A.P. No. 30 of 2015 passed by the Second Respondent. As such, the claim of the Petitioner in this Writ Petition does not survive further for adjudication. It is made clear that no view has been expressed by this Court on the merits of the contentions of the Petitioner relating to his termination from service by the First Respondent in respect of which he would have to work out his remedy for appropriate relief before the proper forum in the manner recognized by law.

3. Accordingly, the Writ Petition is dismissed with the aforesaid clarifications. No costs.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vjt/kv

To

1. The General Manager,  
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,  
Cuddalore Region, Cuddalore-607 002.
2. The Special Deputy Commissioner of Labour,  
Teynampet, Chennai.

सत्यमेव जयते

W.P.No.26697 of 2018

JP(CO)  
CS/02/11/2020

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