



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.17342 of 2013

WEB COPY

A.Karuppannan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam Post,
Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Thirumayam Salai,
Pudukkottai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to regularize service of the petitioner from 05.12.2000 onwards with all attendant monetary benefits.

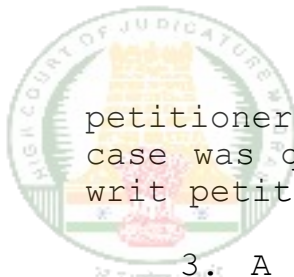
For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr. K.Sathiya Singh

ORDER

The relief sought for in the present writ petition is to direct the respondents to regularize the services of the writ petitioner from 05.12.2000 onwards with all attendant benefits.

2. The petitioner participated in the process of selection and attended the interview on 14.09.2000 and he was temporarily appointed on 05.12.2000 on daily wages basis. The petitioner is working to the satisfaction of the Corporation. The services of the persons selected along with the writ petitioner during the year 2000 had been regularized with effect from 2005. During the process of verification of the good conduct, the respondents called for a report from the jurisdictional police station. The Inspector of Police, Thuraiyur Police Station informed that a criminal case was registered against the writ petitioner in P.R.C.No.10 of 2004 which was pending before the Judicial Magistrate Court, Thuraiyur. The writ petitioner subsequently filed Crl.O.P.No.11173 of 2009 and this Court passed an order on 12.02.2010 along with the stay petition and the proceedings in P.R.C.No.10 of 2004 was quashed as far as the



petitioner/A.60 is concerned. In view of the fact that the criminal case was quashed in favour of the writ petitioner, the case of the writ petitioner is to be considered.

3. A counter affidavit filed by the respondents reveals that the case of the writ petitioner was not considered for grant of regularization during the relevant point of time due to the pendency of the criminal case.

4. Thus once the criminal charges were quashed against the writ petitioner, the case of writ petitioner is to be considered for grant of regularization on par with his batch mates.

5. The petitioner has stated that since the services of the persons selected along with the writ petitioner during the year 2000 had been regularized with effect from 2005, the service of the writ petitioner is also to be regularized along with his batch mates, who were appointed during the year 2000.

6. In view of the submissions made on behalf of the petitioner, the respondents are directed to verify the facts and service records of the petitioner and take a decision for grant of regularization of the services of the writ petitioner on par with his batch mates, who participated in the selection of the year 2000. If there is no impediment or disqualification, the petitioner's case is also to be considered for such regularization with consequential benefits and by passing orders within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is permitted to submit a representation along with the details and documents to the respondents. Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

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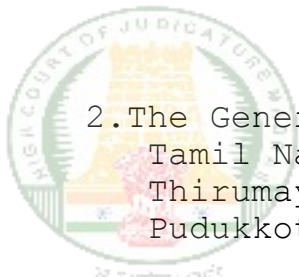
/ /2020

Sub Assistant Registrar(CS)

SSL

TO

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam Post,
Thanjavur District.



2.The General Manager,
Tamil Nadu State Transport Corporation,
Thirumayam Salai,
Pudukkottai.

+1 CC to M/s.L.SATHIYA SINGH, Advocate (SR-20660[F] dated
28/10/2020)

W.P. (MD) No.17342 of 2013
16.10.2020

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