



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. (MD).No.12199 of 2015

and

M.P (MD).No.1 of 2015

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S.Krishnan

... Petitioner

-Vs-

1.The General Manager,
Tamil Nadu State Transport Corporation,
Karaikudi Division,
Sivagangai District.

2.The Branch Manager,
Tamil Nadu State Transport Corporation,
Rameshwaram, Ramnad District.

... Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent in the proceedings in Ref:TNSTC/KKD/LL/L1/401 dated 08.05.2015 and to quash the same as illegal and consequently directing the first respondent to promote the petitioner as Selection Grade Driver from 01.8.2013.

For Petitioners	: Mr.S.Shaji Bino
For Respondents	: Mr.D.Sivaraman
	Standing Counsel

ORDER

The denial of benefits of third review in proceedings dated 08.05.2015 is under challenge in the present writ petition. The writ petitioner was working as a Driver and retired from service on 30.06.2017. The grievance of the writ petitioner is that as per 12 (3) settlement, the third review was not granted to him on completion of seven years of service. As per the terms and conditions of 12(3) settlement, dated 01.09.2010, the petitioner is eligible for third review on 01.08.2013. However, during the relevant point of time, disciplinary proceedings were pending against the writ petitioner and therefore, third review had not been given to the writ petitioner. Providing the benefit of third review, clean record is to be maintained. But the petitioner was facing disciplinary proceedings and therefore, his name was deferred.

2.Subsequently, the petitioner retired from service on 30.06.2017 and he has received all the terminal and retiral benefits from the respondent Corporation. Therefore, the case of the writ petitioner cannot be considered as there is no infirmity with



reference to the orders impugned passed. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

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Sub Assistant Registrar(CS)

rmk

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-23416[F] dated 01/12/2020)

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KG (CO)

KB (07.12.2020) 2P 3C