



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2021

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.NO.7954 OF 2019

AND

W.M.P.NO.8559 OF 2019

The Management
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited
Represented by its General Manager
Trichy Region, Trichy 620 001.

... Petitioner

Vs.

1.P.Rajkumar
S/o.R.Ponnusamy
Driver, Staff No.5067/91 DR2052
Perambalur Branch
Residing at No.11A, Subramaniya Bharahiyar Street
Nirmala Nagar, Perambalur Post and District.

2.The Special Joint Commissioner of Labour
DMS Campus, Anna Salai, Chennai.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorarified Mandamus, calling for the records pertaining to the order dated 25.07.2018 passed by the 2nd respondent in Approval Petition No.296 of 2014 and quash the same, consequently direct the 2nd respondent to approve the order of the petitioner dated 13.11.2014 dismissing the 1st respondent from service.

For Petitioner : Mr.D.Venkatachalam

For Respondents : Mr.V.S.Jagadeesan for R1
Mr.L.S.M.Hasan Fizal, G.A for R2



Petition passed by the Authority. Accordingly, this Writ Petition is disposed of with a direction to the Petitioner / Corporation to reinstate the 1st respondent in service on or before 01.10.2021 on the basis of the last drawn wages at the time of dismissal. It is made clear that the employee will not be entitled to any continuity of service and will also be not entitled to any other benefits for the purpose of notional fixation. There is no need for the employer to contribute amount towards Provident Fund for the period from the date of dismissal till the date of reinstatement of the employee. The denial of benefits mentioned supra itself is sufficient for the misconduct committed by the employee. Consequently the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

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To

The Special Joint Commissioner of Labour
DMS Campus,
Anna Salai, Chennai.

+1cc to Mr.V.S.Jagadeesan, Advocate, S.R.No.37245

+1cc to Mr.D.Venkatachalam, Advocate, S.R.No.37100

W.P.No.7954 of 2019
and
W.M.P.No.8559 of 2019

MG(CO)
RLP(27/09/2021)