



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.13236 of 2019

and W.M.P. (MD)No.9867 of 2019

WEB COPY

S.Selvaganapathy

... Petitioner

-vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Bye Pass Road,
Madurai - 625 010.

2.The General Manager,
Tamil Nadu Transport Corporation
(Madurai) Ltd.,
Bye Pass Road,
Madurai - 625 010.

3.The Branch Manager,
Tamil Nadu Transport Corporation
(Madurai) Ltd.,
Pudur Branch,
Madurai.

4.The Branch Manager,
Tamil Nadu Transport Corporation
(Madurai) Ltd.,
Tiruppuvanam Branch,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the petitioner's transfer order by proceeding in Parvai:ONaThu/D2/Pudur/4218, dated 01.06.2019, order passed by the 2nd respondent and quash the same and consequently, issue direction to the respondents 1 and 2 to pass the order to enabling the petitioner to continue his service at 3rd respondent branch within the stipulated time frame as may be fixed by this Court.

For Petitioner : Mr.S.A.Mu.Sharavanan

For Respondents : Mr.J.Senthil Kumaraiah,
Standing Counsel.



O R D E R

The prayer in this writ petition is for issuance of a writ of certiorarified mandamus to quash the order dated 01.06.2019, passed by the second respondent and to direct the respondents 1 and 2 to pass the order enabling the petitioner to continue his service at 3rd respondent branch.

2. The case of the petitioner is that he is working as Driver in the Tamil Nadu State Transport Corporation (Madurai) Limited, at Pudur Branch, since 05.04.2013. Thereafter, on 19.08.2015, the Inspector of Labour, Madurai, granted permanent status of service from 19.12.2014 to the petitioner. However, the second respondent has been with-hold the petitioner's conferment from 19.12.2014. While that being so, on 01.06.2019, the second respondent has passed the impugned order. Challenging the same, the petitioner has filed the present Writ petition.

3. The learned Standing Counsel appearing for the respondents, by relying upon the counter affidavit submitted that the impugned order dated 01.06.2019 was purely an internal communication. He further submitted that at any point of time, the impugned order may be returned for correction or otherwise positive/negative order may be passed. He further submitted that the said impugned order is not an official transfer order and the same was not communicated to the petitioner at any point of time. The petitioner is before this Court at the premature stage, hence, this Writ Petition is liable to be dismissed.

4. In view of the statement made by the learned counsel appearing for the respondents Corporation, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



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