



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.09.2021**

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.2603 of 2019

and W.M.P. (MD)Nos.1979 & 5965 of 2019

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V.Iyyappan

... Petitioner

Vs.

1.The General manager,
Tamil Nadu State Transport Corporation Tilli Ltd.,
Tirunelveli Division,
Tirunelveli.

2.The Branch Manager,
Tamil Nadu State Transport Corporation Tili Ltd.,
Kattabomman Nagar Branch,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, call for the records of the impugned order of transfer passed by the 1st respondent in A.Aa.No.12545/Niya5/Tha.A.Po.ka/Tili/2018, dated 19.11.2018 and its consequential order passed by the 2nd respondent in A.Anai.505/KND3/Tha.A.Po.Ka/Tili/2019 dated 30.01.2019 and to quash the same as illegal.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.K.Sathiya Singh,
Standing Counsel.

ORDER

This Writ Petition has been filed challenging the order passed by first respondent dated 19.11.2018 and the consequential order passed by the second respondent dated 30.01.2019.

2. The case of the petitioner is that he is working as a Driver in the first respondent Corporation. The respondents have issued the transfer order dated 19.06.2018, transferring the petitioner from Cheranmahadevi to Kattabomman Nagar. The grievance of the petitioner is that within the short span of time, the first respondent has issued the transfer order dated 19.11.2018, transferring the petitioner from Kattabomman Nagar to Thoothukudi and if the transfer order is implemented, he has to travel more than 100 kms. per day. Therefore, the petitioner has come out with the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents and also perused the materials on record carefully.



4. On a perusal of the records, it is seen that at the time of entertaining the Writ Petition, this Court has granted an order of interim stay on 11.03.2019 and pursuant to the same, the petitioner is continuing to work in the same station at Kattabomman Nagar. Now almost two years is over. At this stage, this Court need not go into merits of the case. However, considering the petitioner's grievance that he has to travel more than 100 kms. per day, this Court directs the petitioner to make a representation to the respondents explaining his grievance, within a period of three weeks from the date of receipt of a copy of this order. If any such representation has been received, the respondents Corporation shall consider the said representation and take appropriate decision within a period of twelve weeks thereafter. The interim order granted by this Court on 11.03.2019 shall be in force till the final decision taken by the respondents Corporation.

With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are 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.

To:

- 1.The General manager,
Tamil Nadu State Transport Corporation Tilli Ltd.,
Tirunelveli Division,Tirunelveli.
- 2.The Branch Manager,
Tamil Nadu State Transport Corporation Tili Ltd.,
Kattabomman Nagar Branch,
Tirunelveli District.

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-27977[F] dated 02/09/2021)
+1 CC to M/s.K.SATHIYA SINGH, Advocate(SR-28129[F]dated 03/09/2021)

W.P(MD)No.2603 of 2019
02.09.2021

RK (15.09.2021) 2P 5C

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