



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A(MD)No.294 of 2022

and

C.M.P. (MD)Nos.2812 and 2814 of 2022

B.Srinivasa Rao

.. Appellant

Vs

1.The Management of State Express

Transport Corporation (Tamil Nadu) Limited,
Represented by its Managing Director,
Pallavan Salai , Chennai - 600002.

2.The Senior Grade Deputy Manager

(Human Resources Development),
State Express Transport Corporation (Tamil Nadu) Limited,
Pallavan Salai, Chennai - 600002.

3.Mrs.Shyamala,

The Senior Grade Deputy Manager,
(Human Resources Development),
State Express Transport Corporation (Tamil Nadu) Limited,
Pallavan Salai, Chennai - 600002.

4.Mr.Panchamurthy,

Deputy Manager (Commercial),
State Express Transport Corporation (Tamil Nadu) Limited,
Pallavan Salai, Chennai - 600002.

5.The Branch Manager,

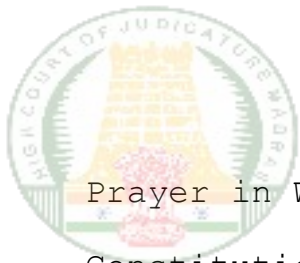
Tirunelveli I Branch,
State Express Transport Corporation (Tamil Nadu) Limited,
Tirunelveli.

6.Mr.Kannan,

The Branch Manager, Tirunelveli I Branch,
State Express Transport Corporation (Tamil Nadu) Limited,
Tirunelveli.

.. Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
against the order dated 08.03.2022 made in W.P.(MD)No.131 of 2022.



Prayer in WP(MD). 131 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-3. To issue a Writ of Certiorari or any other Writ or order or direction in the nature of Writ calling for the records pertaining the order of the 2nd respondent passed in Order No.061026 / Ma.Va4 / AaViPoKa / 2017 / 5355 dated 08/12/2021 and quash the same and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.

For Appellant : Mr.V.Ajay Goush
for Mr.A.Rahul

JUDGMENT

[Delivered by PARESH UPADHYAY, J.]

Challenge in this appeal is made to the order dated 08 March 2022 recorded on W.P(MD) No.131 of 2022. This appeal is by the original writ petitioner.

2. Learned advocate for the appellant has submitted that the petitioner was transferred for the reasons less known to law, coupled with the fact that the father of the petitioner is an aged person and the petitioner needs to take care of him. It is submitted that refusal to exercise discretion by learned Single Judge is erroneous and therefore this appeal be entertained.

3. Having heard learned advocate for the appellant and having considered the material on record we find that, the petitioner who is working as a driver-cum-conductor in Tamil Nadu State Express Transport Corporation is transferred from Tirunelveli to Madurai on administrative grounds. We find that refusal to exercise discretion by learned Single Judge can not be said to an error muchless any error apparent on the face of record, which would call for any interference in this intra-court appeal. This appeal is therefore dismissed. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

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Sub Assistant Registrar(CS)

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+1 CC to M/s.A.RAHUL, Advocate (SR-15539[F] dated 31/03/2022)

W.A (MD) No.294 of 2022
29.03.2022

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