



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :07.01.2022

CORAM :

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THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) Nos.6865 to 6871, 6878 to 6881, 6883, 6885, 6887 &
6978 of 2020

and

W.M.P (MD)

Nos.6274, 6275, 6276, 6277, 6278, 6279, 6280, 6292, 6294, 6296, 6297, 6299, 6301
, 6304 & 6405 of 2020

C.Mariappan ...Petitioner in W.P(MD) No.6865 of 2020

R.Muthukumar S/o.Ramasamy, Assistant Engineer, Tamilnadu
Transport Corporation (Madurai) Ltd., Sattur Branch, Virudhunagar
District, Residing at 48, Preethi Ni

... Petitioner in WP(MD).No. 6866/ 2020

G.Thangaraj S/o.T.Ganapathi, Assistant Engineer, Tamilnadu
Transport Corporation (Madurai) Ltd., Sivaksi Branch, Virudhunagar
Region. Res. at 1a/13, Voc Nagar,

... Petitioner in WP(MD).No. 6867/ 2020

S.Karthikeyan S/o.Subramaniam, Assistant Engineer, Tamilnadu
Transport Corporation (Madurai) Ltd., Rajapalayam -I Branch,
Virudhunagar Region, Residing at 2/71,

... Petitioner in WP(MD).No. 6868/ 2020

C.Subramanian S/o.Chidambaram, Assistant Engineer, Tamilnadu
Transport Corporation (Madurai) Ltd., Rajapalayam Ii Branch,
Virudhunagar Region, Residing at 19/23

... Petitioner in WP(MD).No. 6869/ 2020

K.Jeyapal S/o.M.Krishnasamy, Junior Engineer, Tamilnadu Transport
Corporation (Madurai) Ltd., Sivakasi Branch, Virudhunagar Region,
Residing at 1/359, Middle

... Petitioner in WP(MD).No. 6870/ 2020



Chellapandian S/o.S.M.Seenipandi, Assistant Engineer, Tamilnadu Transport Corporation(Madurai)ltd., Regional Office, Virudhunagar Region, Res.163/14 Rail Nagar 5t

... Petitioner in WP(MD).No. 6871/ 2020

D.Rajendran S/o.S.Duraisamy, Assistant Engineer, Tamilnadu Transpport Corporation (Madurai) Ltd.,Regional Office, Virudhunagar Region, Residing at 137b-9/2, Kam

... Petitioner in WP(MD).No. 6878/ 2020

L.Balakumar S/o. Laxmanan, Assistant Engineer, Tamilnadu Transpport Corporation (Madurai) Ltd., Regional Office, Virudhunagar Region, Residing at 6/613-4, Annai

... Petitioner in WP(MD).No. 6879/ 2020

A.Jeyakanthan S/o.K.Ayyappan, Assistant Engineer, Tamilnadu Transpport Corporation (Madurai) Ltd., Virudhunagar Branch, Virudhunagar Region, Residing at 2/789/a/1

... Petitioner in WP(MD).No. 6880/ 2020

Balaji S/o.P.Ramar, Assistant Engineer, Tamil Nadu Transport Corpn (Madurai) Ltd.,Rc Unit, Virudhunagar Region, Rest at 5/18/48 Postal Colony, Madurai Road,

... Petitioner in WP(MD).No. 6881/ 2020

V.Dhanasekaran S/o.M.Vanangamudi, Assistant Engineer, Tamilnadu Transpport Corporation (Madurai) Ltd., Regional Office, Virudhunagar Region, Residing at 1/202/4/e5

... Petitioner in WP(MD).No. 6883/ 2020

M. Bala Subramanian S/o. Mookaiah, Asst.Engineer ,Tamil Nadu Transport Corpn(Madurai) Ltd., Sivakasi Branch, Virudhunagar Region, Rest At.1/141 South Street, Valayapat

... Petitioner in WP(MD).No. 6885/ 2020

D.Senthil S/o. Dhatchinamoorthi, Asst.Engineer ,Tamil Nadu Transport Corpn(Madurai) Ltd., Rest At.5/738a Nethaji Street

... Petitioner in WP(MD).No. 6887/ 2020



S.Kandiaraja S/o.D.Sivakumar, Assistant Engineer, Tamilnadu Transport Corporation (Madurai) Ltd., Srivilliputhur Branch, Virudhunagar Region, Residing at 3/1, Mi

... Petitioner in WP(MD). 6978/ 2020

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Vs.

- 1.The Principal Secretary/Chairman,
Department of Transport, (TNSTUS),
Government of Tamilnadu,
Chennai.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Madurai.
- 3.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region,
Virudhunagr.
- 4.The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar.
- 5.Mr.Balasubramanian,
Deputy Manager,
(Under suspension),
Tamil Nadu Transport Corporation (Madurai) Ltd.,
Virudhunagar.

... Respondent in all WPs

PRAYER in In all W.Ps :

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to take necessary and suitable action against the fifth respondent based on the representation given by the petitioner, dated 23.05.2020 and consequently, directing the respondents 1 to 3 to take appropriate department action against the fifth respondent.

In all W.Ps

For Petitioner	:Mr.G.Mariappan
For R1 & R4	:Mr.P.T.Thiraviam
	Government Advocate
For R2 & R3	:Mr.J.Senthil Kumaraiah
For R5	:Mr.Nikhil Nandha



COMMON ORDER

These writ petitions are filed for a Mandamus, directing the respondents 1 to 4 to take action against the fifth respondent, based on the representation given by them and for a consequential direction to take appropriate departmental action against the fifth respondent.

2.Since all the writ petitions have been filed to take appropriate action against the fifth respondent, who is working as Deputy Manager in the Tamil Nadu State Transport Corporation, this Court is taking up all the writ petitions together and dispose of the same by way of a common order.

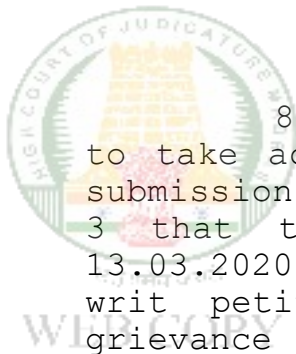
3.The case of the petitioners is that these petitioners are working as Assistant Engineers in the Tamil Nadu Transport Corporation, Virudhunagar Region. Their grievance is that the fifth respondent, namely, Balasubramanian, who is working as Deputy Manager had abused them with obscene words. The telephonic conversation was also recorded and the same was furnished to the Branch Manager. Though the Branch Manager assured that he would take action, he has not acted upon and the fifth respondent had continuously humiliating the petitioners.

4.The learned counsel appearing for the petitioner submits that one Kandiyaraja, the petitioner in W.P.(MD) No.6978 of 2020 has lodged a criminal complaint as against the fifth respondent before the Superintendent of Police, Virudhunagar District on 12.03.2020 and the same was taken as petition enquiry in CSR No.45 of 2020. Thereafter, no action has been taken against the fifth respondent. The petitioners have given a representation to the respondents on 23.05.2020. Since the respondents 1 to 4 have not acted upon the representation, the petitioners are before this Court.

5.The learned counsel appearing for the respondents 2 & 3 submits that based on the representation given by the petitioners, appropriate action was taken as against the fifth respondent and he was also placed under suspension for a period of three months.

6.The learned counsel appearing for the fifth respondent submits that the petitioners have committed some mischief in the administration process and the same was condemned by the fifth respondent. According to the learned counsel for the fifth respondent, these petitioners have stolen petrol and when the same was questioned by the fifth respondent, they have given complaint against him and in order to wreak vengeance against the fifth respondent, the present writ petitions have been filed.

7. This Court paid its anxious consideration to the rival submissions made and also perused the materials placed on record.



8.These petitioners have filed the present writ petitions to take action against the fifth respondent. It is seen from the submission of the learned counsel appearing for the respondents 2 & 3 that the fifth respondent was placed under suspension on 13.03.2020. Therefore, this Court is inclined to dispose of these writ petitions that no further order is required, since the grievance of the petitioner was redressed by the department, by initiating departmental proceedings as against the fifth respondent and by imposing a punishment to the fifth respondent.

9.Accordingly, these writ petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Principal Secretary/Chairman,
Department of Transport, (TNSTUS),
Government of Tamilnadu, Chennai.
 - 2.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,Madurai.
 - 3.The General Manager,
Tamil Nadu State Transport Corporation(Madurai) Ltd.,
Virudhunagar Region, Virudhunagr.
 - 4.The Inspector of Police,
Virudhunagar Rural Police Station, Virudhunagar.
- +1 CC to M/s.SPL.GP (SR-982[F] dated 10/01/2022)
+1 CC to M/s.B.Saravanan, Advocate (SR.No.941)

W.P(MD) Nos.6865 to 6871, 6878 to 6881,
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and
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