



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No. 7105 of 2020

and

W.M.P. (MD) Nos. 6548, 6549 and 9297 of 2020

Tamil Nadu Nugarporul Vaniba Kalaka
Pothu Thozhilar Sangam (Affiliated to CITU),
Represented by its General Secretary,
R.Bhuvaneswaran,
Registration No.1394/84,
CITU Office, Masuthi Street,
Chepauk, Chennai - 600 005.

... Petitioner

-Vs-

1. The State of Tamil Nadu,
Represented by the Managing Director,
Tamil Nadu Civil Supplies,
12, Thabusamy Road,
Kilpauk,
Chennai - 10.08.2011

2. The General Manager (Administration),
Tamil Nadu Civil Supplies,
12, Thabusamy Road,
Kilpauk,
Chennai - 10.08.2011

3. The Regional Manager,
Regional Office, Madurai Zone,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the impugned proceedings in Na.Ka.No.Vart 14/23151/19 of the second respondent dated 20.03.2020 and quash the same.

For Petitioner : No appearance

For Respondents : Mr.G.Mohan Kumar



O R D E R

This Writ Petition is filed by the 'Tamil Nadu Nugarporul Vaniba Kalaka Pothu Thozhilar Sangam', as against the proceedings dated 20.03.2020.

2. Mr.G.Mohan Kumar, learned counsel appearing for the respondents has raised the following preliminary objections:

(i) The Writ Petition is filed by the Association and the Association cannot maintain the Writ Petition on service matters, as per the Hon'ble Supreme Court.

(ii) The order impugned in this Writ Petition is only inter-departmental communication and the same cannot be challenged by the writ petitioner.

(iii) The respondents have taken no further action pursuant to the inter-departmental communication and the Writ Petition is premature.

(iv) The union cannot prevent the employer from initiating the proceedings as against the employees and entertaining the Writ Petition as it would amounts to prevent the Department from initiating departmental proceedings as against the employees.

3. Earlier, on 10.11.2022, this Court accepting the contentions raised on behalf of the respondents was inclined to dispose of the Writ Petition, however, the learned counsel appearing for the petitioner sought short accommodation for filing his reply affidavit and at his request, the matter was directed to be listed today.

4. The petitioner has not filed any reply affidavit and there is no representation for the petitioner. Hence, this Court is not inclined to entertain the Writ Petition filed by the Association as against the inter-departmental communication.

5. Accordingly, this Writ Petition is dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vji

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 /

<https://hcservices.ecourts.gov.in/hcservices/>



litigant concerned.

To

1. The Managing Director,
The State of Tamil Nadu,
Tamil Nadu Civil Supplies,
12, Thabusamy Road,
Kilpauk,
Chennai - 10.

2. The General Manager (Administration),
Tamil Nadu Civil Supplies,
12, Thabusamy Road,
Kilpauk,
Chennai - 10.

3. The Regional Manager,
Regional Office,
Madurai Zone,
Madurai.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-4074[F] dated
03/02/2022)

+1 CC to M/s.G.MOHAN KUMAR, Advocate (SR-4014[F] dated 03/02/2022)

W.P (MD) No. 7105 of 2020

and

W.M.P. (MD) Nos. 6548, 6549 and 9297 of 2020

02.02.2022

ss (CO)

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