



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.7486 of 2019

and

W.M.P. (MD)No.5975 & 5976 of 2019

WEB COPY

P.Vethilingam

... Petitioner

-Vs-

The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records of the respondent in MP/DS/D4/3, dated 22/04/1993, and quash the same as illegal land arbitrary.

For Petitioner	: Mr.P.Ganapathi Subramanian
For Respondent	: Mr.D.Sivaraman

ORDER

The order of termination dated 22.04.1993 is under challenge in the Writ Petition, which was filed on 28.03.2019. The Writ Petition is liable to be dismissed in limine on the ground of laches as the delay is about 26 years. This apart the petitioner admittedly was an employee of the Transport Corporation and covered under the settlement. This Court has elaborately considered the principles to be followed in such circumstances in W.P.(MD)No.10416 of 2019 dated 25.09.2019. As per the said judgment, the petitioner ought to have raised an industrial dispute before the jurisdictional Labour Court. However, the petitioner has not filed any such petition for a period of more than 26 years and filed this Writ Petition in the year 2019. Under these circumstances, this Writ Petition is not entertainable and accordingly, dismissed on the ground of laches. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

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/ /2022

Sub Assistant Registrar(CS)

Myr



TO
The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam.

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+1 CC to M/s.D.SIVARAMAN, Advocate (SR-5214[F] dated 09/02/2022)

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CK (CO)

GC (21.02.2022) 2P 3C