



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.7881 of 2019

and

M.P. (MD) Nos.6237 & 6238 of 2019

WEB COPY

P.Ramar

... Petitioner

vs.

1.The Managing Director
Tamil Nadu State Transport Corporation
Kumbakonam Division
Kumbakonam, Thanjavur District

2.The General Manager
Tamil Nadu State Transport Corporation
Karaikudi Branch, Karaikudi
Sivagangai District

3.The Deputy Manager
Tamil Nadu State Transport Corporation
Kumbakonam Division
Kumbakonam, Thanjavur District

... Respondents

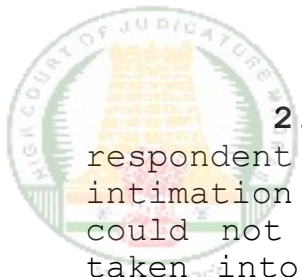
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records relating to the impugned reply of the first respondent in Ref.ThAPOKa/Karai/NiPi/A4/565 dated 18.05.2018 quash the same and consequently direct the respondents herein to revise the pay from 2008, disburse the entire service benefits arrears, refund the recovery, deductions with 12% interest and fix the pay of the petitioner at Rs.55,000/- on par with his colleagues and fix the pension, within a reasonable time.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.P.Balasubramanian, Standing Counsel

O R D E R

The intimation letter issued by the first respondent on 18.05.2018 is under challenge in this writ petition.



2. The petitioner was working as Conductor in the respondent - Transport Corporation. The Managing Director issued an intimation letter stating that certain punishments imposed, which could not be implemented during the relevant point of time, are taken into consideration and accordingly, the amount equivalent to such punishments will be recovered by issuing separate proceedings, which was acknowledged by the petitioner. However, the learned counsel for the petitioner states that no such communication was received by the petitioner sofar.

3. This Court is not inclined to go into such disputes as the same have to be adjudicated only before the competent Labour Court. The disputed facts in this regard cannot be adjudicated in a writ proceedings. As far as the letter dated 18.05.2018 is concerned, it is only an intimation letter and it is brought to the notice of this Court that the petitioner was allowed to retire from service. While so, the respondents have to consider the case of the petitioner by settling all his terminal and pensionary benefits as per his eligibility. However, the learned Standing Counsel for the respondent - Transport Corporation states that the settlement have already been made. In such circumstances, if at all any other grievance exists, the petitioner is at liberty to approach the Authorities competent.

4. With the above observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

Krk

TO:

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam, Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Karaikudi Branch, Karaikudi,
Sivagangai District.



3.The Deputy Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam, Thanjavur District.

+1 CC to M/s.K.APPADURAI, Advocate (SR-5507[F] dated 11/02/2022)

+1 CC to M/s.P.BALASUBRAMANIAM, Advocate (SR-5569[F] dated 11/02/2022)

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