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W.P.(MD)NO.16910 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16910 of 2022

S.P.Ponnusami

... Petitioner

Vs.

1. The Principal Secretary,
Transport Department,
Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Madurai Division, Madurai Zonal,
Bye-pass Road, Madurai – 16.
3. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Virudhunagar Zone,
Virudhunagar.
4. The Branch Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Rajapalayam Branch Office-II,
Virudhunagar District.
5. Jeeva,
Branch Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Rajapalayam Branch Office-II,
Virudhunagar District.



6. Mahindrakumar
General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Nagapattinam Zone,
Nagapattinam District. ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents Nos.1 to 4 to take departmental action as against the respondents Nos.5 and 6 for having ill-treated the petitioner on communal basis and give the compensation of Rs.25 Lakhs to the Petitioner and such compensation amount will be reimbursed from the salary of the respondents Nos.5 and 6 on the basis of the petitioners representation dated 20.04.2022.

For Petitioner : Mr.P.Krishnasamy

For R-1 : Mr.R.Suresh Kumar,
Additional Government Pleader.

For R-2 to R-5 : Mr.S.Ramachandra Pradeep

For R-6 : Mr.K.Jagadeesh Balan

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ORDER

Heard the learned counsel on either side.



2. The petitioner had joined the respondent corporation as conductor in the year 1987 and he retired from service in the year 2019. The petitioner has certain service grievances against the management, particularly, respondents 5 and 6. The petitioner had made specific allegations that he was victimized, ill-treated and abused by referring to his community background. The learned counsel appearing for the writ petitioner read out the complaint dated 09.03.2019 submitted by the writ petitioner to the General Manager of TNSTC as well as the other authorities. The petitioner wants this Court to direct the respondents 1 to 4 to take departmental action as against respondents 5 and 6. The petitioner also wants this Court to direct the respondents 1 to 4 to pay a sum of Rs.25 Lakhs as compensation.

3. The petitioner had brought to the notice of the employer, certain allegations against respondents 5 and 6. Whether to take cognizance of the same and take further action is left to the discretion of the employer concerned. It is not for this Court to issue any direction to the employer to take decision against the employees concerned. If the



petitioner feels aggrieved about the conduct of respondents 5 and 6, it is for the petitioner to take appropriate action in accordance with law. Filing this writ petition is clearly not a proper remedy. Leaving open the other rights and remedies of the writ petitioner, this writ petition stands dismissed. No costs.

14.09.2022

Index : Yes / No
Internet : Yes/ No

PMU

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G.R.SWAMINATHAN,J.

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