



W.P.No.11095 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11095 of 2016

and W.M.P.No.19931 of 2016

The General Manager,
Tamilnadu State Transport Corporation (Salem) Ltd.,
Bharathipuram,
Salem Main Road,
Dharmapuri-636 705.

.. Petitioner

Vs.

1. The Special Deputy Commissioner of Labour,
DMS Compound, Anna Salai,
Chennai.

2. K.Manoharan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari or any writ, order or direction to call for the records of the 1st respondent made in Approval Petition No.163 of 2012 dated 25.03.2015 and to quash the same as illegal

For petitioner : Mr.R.Babu

For Respondents : Mr.M.Prem Kumar,
Government Advocate for R1.

: Mrs.S.Girija for R2.



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ORDER

Aggrieved by the order passed by the 1st respondent in A.P.No.163 of 2012, the petitioner is before this Court.

2. It is the case of the petitioner that the 2nd respondent was working in the petitioner corporation. Due to his unauthorized absence, he was issued with a charge memo by the petitioner corporation. Since, there was no response from the 2nd respondent, enquiry notice was issued, however, the 2nd respondent did not turn up for the enquiry. Hence, the proceedings were concluded and the charges were also proved against the 2nd respondent which resulted in issuance of second show cause notice to the 2nd respondent. Since, the explanation given by the 2nd respondent was not satisfactory, he was dismissed from service. In order to confirm the same, the petitioner corporation filed an Approval Petition before the 1st respondent, however, the same was dismissed on the ground that the punishment given to the 2nd respondent is a grievous one. Challenging the same, the petitioner has filed this Writ Petition.



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3. However, when the matter is taken up, learned counsel for the petitioner submitted that during the pendency of this Writ Petition, the 2nd respondent was reinstated and also retired from service.

4. In view of the submission made by the learned counsel for the petitioner, nothing survives for further adjudication in this matter and hence no further order is necessary in this Writ Petition.

5. Accordingly, this Writ Petition stands closed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition stands closed.

13.07.2023

NHS

Index : Yes / No

Internet : Yes / No

Speaking Order/Non-Speaking Order

To

The Special Deputy Commissioner of Labour,
DMS Compound, Anna Salai,
Chennai.



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M.DHANDAPANI, J.

NHS

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