



W.P.No.16207 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2023

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.16207 of 2012
and
M.P.Nos.1 & 2 of 2012

A.Krishnamoorthy

... Petitioner

Vs.

1.Tamil Nadu State Transport
Corporation Ltd.,
Rep. by its Managing Director,
Vazhuthareddy,
Villupuram.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Ponnerikarai, Kancheepuram.

3.The Joint Director of Medical and
Rural Health Services,
District Medical Board,
Kancheepuram.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying
for issuance of Writ of Certiorarified Mandamus, calling for the records

Page No.1 of 7



W.P.No.16207 of 2012

pertaining to the show cause notice dated 28.10.2011 in proceedings No.271/5571/Sa11/TNSTC/Villu/Ka.Ma.09 issued by the 1st respondent, quash the same and consequently direct the 1st respondent to provide the petitioner suitable alternative employment with continuity of service, pay protection, backwages and all other attendant benefits with effect from 13.10.2006.

For Petitioner : M/s.V.Porkodi
for M/s.R.Krishnaswamy

For Respondents 1 & 2 : Mr.M.Aswin

For Respondent 3 : Mr.V.Nanmaran,
Additional Government Pleader

ORDER

The relief sought by the petitioner in this writ petition is to call for the records pertaining to the show cause notice dated 28.10.2011 in proceedings No.271/5571/Sa11/TNSTC/Villu/Ka.Ma.09 issued by the 1st respondent, quash the same and consequently direct the 1st respondent to provide the petitioner suitable alternative employment with continuity of service, pay protection, backwages and all other attendant benefits with effect from 13.10.2006.



WEB COPY

2. Today, when the matter was taken up for hearing, learned counsel for the petitioner submitted that this Writ Petition has been filed challenging the second show cause notice dated 28.10.2011 in proceedings No.271/5571/Sa11/TNSTC/Villu/Ka.Ma.09 issued by the first respondent. Subsequently, Interim injunction was granted by this Court on 20.11.2012, restraining the respondents from terminating the petitioner from service. In view of the interim injunction, an enquiry was conducted and in the meantime, petitioner got superannuated in the year 2012 and hence, nothing survives in this writ petition for further adjudication and the same become infructuous. However, in regard to the terminal benefits, this Court may direct the respondents to settle the same to the petitioner.

3. Learned counsel appearing for the respondents 1 & 2 prayed this Court to issue a direction to the petitioner to submit a representation along with a copy of the order of the present writ petition.

4. Heard the learned counsel on either side and perused the materials available on record.



W.P.No.16207 of 2012

5. Considering the facts and circumstances of the case and the submission made by the learned counsel on either side, this Court issues the following directions:

(i) In regard to the terminal benefits, the petitioner is directed to submit a representation along with the copy of this order, within a period of two weeks from the date of receipt of a copy of this order.

(ii) On such receipt, the second respondent/Corporation is directed to consider the same on merits and in accordance with law, within a period of four weeks thereafter.

6. This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petitions are closed.

19.04.2023

vm

Index : Yes/No

Speaking Order : Yes/No

Page No.4 of 7



WEB COPY



W.P.No.16207 of 2012

To:

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
Vazhuthareddy,
Villupuram.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Ponnerikarai, Kancheepuram.
- 3.The Joint Director of Medical and
Rural Health Services,
District Medical Board,
Kancheepuram.



WEB COPY



W.P.No.16207 of 2012

J.SATHYA NARAYANA PRASAD,J.

vm

W.P.No.16207 of 2012

Page No.6 of 7



WEB COPY



W.P.No.16207 of 2012

19.04.2023