



WEB COPY



W.P.No.34727 of 2006

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2023

CORAM:

THE HON'BLE MR.JUSTICE J. SATHYA NARAYANA PRASAD

**W.P. No.34727 of 2006
and MP.No.1 of 2006**

R.Muthukumar

... Petitioner

VS.

1. The Presiding Officer,
Labour Court,
Coimbatore.

2. Management of
Tamil Nadu State Transport Corporation,
(Division – 2), Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to I.D.No.80/01 on the file of the 1st respondent and quash the award dated 06.10.2003 passed by the first respondent dismissing the same and further direct the second respondent to reinstate the petitioner in service, with back wages continuity of service and all other attendant benefits.

For Petitioner : Mr.K.V.Shanmuganathan

For Respondents : Mr.Sundaravadhanan for R2



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ORDER

This writ petition has been filed to call for the records pertaining to I.D.No.80/01 on the file of the 1st respondent and quash the award dated 06.10.2003 passed by the first respondent dismissing the same and further direct the second respondent to reinstate the petitioner in service, with back wages continuity of service and all other attendant benefits.

2. Heard both sides and perused the materials available on record.

3. The representation given by the petitioner to the respondent Transport Corporation was rejected in the year 2006 but the same was not challenged before this Court. Secondly, G.O.No.41 dated 13.07.2006 was issued, by which instructions were given to the Transport Corporation to absorb the persons who were already working and terminated by the Transport Corporation. In the instant case, the petitioner R.Muthukumar worked for 230 days. Hence he was not considered for reinstatement by the Labour Court, Coimbatore. The respondent Transport Corporation was not inclined to absorb the petitioner as per G.O.No.41 dated 13.07.2006 for the reason that there is no proof available in the records to show that the



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petitioner had worked in the Transport Corporation during the year 1998 –

99. Now due to efflux of time, the petitioner might have reached the age of 45 and must be gainfully employed somewhere. Hence nothing survives in this writ petition for further adjudication.

4. Accordingly the writ petition stands closed. No costs.

Consequently connected miscellaneous petition is also closed.

25.04.2023

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dpq

Index : Yes/No

Speaking Order : Yes/No

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J. SATHYA NARAYANA PRASAD, J.

dpq

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($\frac{1}{2}$)**

25.04.2023