



WEB COPY



WP.No.18060 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.18060 of 2013

K.Ramamoorthi

... Petitioner

Vs

1.Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep.by its Managing Director,
Kumbakonam Division,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Division,
Kumbakonam.

3.The Branch Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikal Branch, Karaikal.

4.The Labour Officer (Conciliation),
Government of Puducherry,
Karaikal-609 602.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus after calling for the records relating to the order bearing Ref.No.E4/TH/06/2013-3 dated 24.06.2013 issued by the 2nd respondent insofar as the petitioner is concerned and to quash the same as being contrary to Section 33 of the



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Industrial Disputes Act, 1947, malafide and arbitrary done in the middle of the academic year and consequently direct the 2nd respondent to retain the petitioner in the 3rd respondent Branch during the pendency of the industrial dispute.

For Petitioner : Mr.V.Govardhanan

For R1 & R2 : Mrs.Sathya Gandhi, S.C.

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent dated 24.06.2013, thereby transferred the petitioner from Karaikal to Kumbakonam.

2. While admitting the writ petition, this Court granted interim stay and as such, the petitioner is still working in Karaikal as Assistant Tradesman.

3. The learned counsel for the respondents 1 & 2 has produced the pay slip of the petitioner's salary thereby, the petitioner is drawing the salary from the office of the Karaikal. Therefore, the order of transfer is not effected. Hence the order of the second respondent is liable to be quashed.



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4. Accordingly, this Writ Petition is allowed and the order of

the second respondent dated 24.06.2013 is hereby quashed.

01.08.2023

rpl

Index: Yes/No

Internet: Yes/No

To

1. Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Division,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Division,
Kumbakonam.

3. The Branch Manager,
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