



W.P.No.3088 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.3088 of 2023

S.Chinnaraj

... Petitioner

Vs.

1. The Managing Director
Tamil Nadu Government Transport
Corporation (Salem Zone)
Corporate Head Office
12, Ramakrishna Salai
Salem 636 007.
2. The General Manager
Tamil Nadu Government Transport Corporation
(Salem Zone)
Corporate Head Office
12, Ramakrishna Salai
Salem 636 007.
3. The Deputy Manager
Tamil Nadu Government Transport Corporation
(Salem Zone), Corporate Head Office
12, Ramakrishna Salai
Salem 636 007.
4. The Branch Manager
Tamil Nadu Government Transport Corporation
(Salem Zone-I), Thiruchengodu Branch
Namakkal 637 209.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to withdraw the all final order in all the charge memos in total and to pass orders to pay all monetary benefits on the petitioner representation dated 06.05.2022.

For Petitioner : Mr.Muruga Bharathi

For Respondents : Mr.P.Muthukumar
State GP
Asst.by:
Mr.K.Raja
Standing Counsel

ORDER

This writ petition was filed for a direction to the 2nd respondent to consider the representation made by the petitioner, wherein, the petitioner has sought for withdrawing all the disciplinary proceedings initiated against him on the ground that the standing order of the Corporation has been held to be invalid by the Labour Court, Salem.

2.This Court pointed out to the learned counsel for the petitioner regarding the earlier order passed by this Court in WP.No.1763 of 2020, dt.09.12.2020, wherein this Court held that even in the absence of the standing order, it is always left open to the respondent Corporation to initiate disciplinary proceedings against the delinquent employees. In view of the same, the ground on which the petitioner

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is seeking for withdrawal of the pending disciplinary proceedings, may not be sustainable. That apart, the learned Government Pleader (State) appearing on behalf of the respondent Corporation submitted that the order passed by the Labour Court has already been put to challenge before this Court in W.P.No.10815 of 2018 and the same is pending.

3. In the light of the above, it is left open to the petitioner to raise all his defense in the pending disciplinary proceedings and the same shall be considered on its own merits and in accordance with law. Except giving this clarity, no further orders can be passed in this writ petition.

4. In the result, this writ petition is disposed of in the above terms. No costs.

06.02.2023

kp

Internet : Yes/No

Index : Yes/No

Speaking Order : Yes/No

Neutral Judgment : Yes/No

N.ANAND VENKATESH,J.

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WEB COPY

To

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