



WP Nos.330/2018 etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP Nos.330, 414, 415 and 478 of 2018

WP No.330 of 2018

Varaaki : Petitioner

versus

- 1.The Government of Tamil Nadu
Department of Transport
Rep. by its Secretary
Fort St. George Chennai-9.
- 2.The Central Trade Union
Rep. by Secretary (CITU)
No.271 Mosque St.
Chepauk, Triplicane, Chennai.
- 3.All India Trade Union Congress
Rep. by Secretary (AITUC)
No.12/7, Balasubramaniyan Street
Adikesavapuram, Chintatripet, Chennai-2.
- 4.The Labour Progressive Front (LPF)
25, Thyagaraya Street, North Usman Road,
T.Nagar, Chennai 17
- 5.Hindu Mustur Sabha (HMS)
rep. By its Secretary, Egmore, Chennai 8



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6.The Tamil Nadu Transport Staff Federation (TTSF)
Rep. By its Secretary, Chennai.

7.Desiya Murpokku Tholil Sanga Peravai (DMTSP)
Rep. By its Secretary
Koyambedu, Chennai

8.Pattali Tholilalar Sangam (PTS)
Rep. By its Secretary, Chennai

9.Arivar Ambedkar labour Liberation Front (ALLF)
Rep. By its Secretary, Chennai

10.Draavidar Workers Union (DWU)
Rep. By its Secretary, Chennai

11.Indian Union Trade Union Congress (INTUC)
Rep. By its Secretary, INTUC Bhavan,
CTH Road, Ambattur Chennai

12.Tamil Manila Trade Union Congress (TMTUC).
Rep. By its Secretary, No.14, 5th Cross Street,
Ellayamman Colony, Teynampet, Chennai 86

13.Nam Tamilar Tholilalar Sangam
Rep. By its Secretary, Mettu Street,
Nemilicheri, Chrompet, Chennai 44

14.All india Coordination Committee of Trade Union
Rep. By its Secretary, Chennai.

15.Puthiya Thamilagam Liberation Front,
Rep. By its Secretary, Chennai.

16.Moovendar Tholalar Sangam,
Rep. By its Secretary, Chennai.

17.Tholilalar Valvurimai Sanga Peravai,
Rep. By its Secretary, Chennai.

18.Marumalarchi Labour Federation,
Rep. By its Secretary, Chennai.



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(R4 to 18 are impleaded as per order dated 11.01.2018
by SMSJ & MGRJ IN WMP.555/2018 in WP.330/2018)

19.Labour Progressive Federation,
Rep. By its General Secretary and President
of the 2nd proposed party M.Shanmugam,
25, Thiagaraya St., North Usman Road, Chennai 17

20.State Transport Corporation Employees Progressive Union Federation
Reg.No.398/MDS, rep. By its General Secretary,
Mr.Natarajan, 25, Thiagaraya St., North Usman Road, Chennai 17

(R19 & 20 are impleaded as per order dated 11.01.2018 by SMSJ & MGRJ in
WMP.580/2018 in WP.330 of 2018)

21.Tamil Nadu Government
Transport Staff Federation (Regn.No.601/MDU)
rep. By its State Executive President,
TNSTC HO Complex, Bypass Road, Madurai 10

(R-21 impleaded as per order dated 11.01.2018 by SMSJ & MGRJ in WMP.
614/2018 in WP.330 of 2018)

22.Arivar Amedkar Pokkuvarathu Thozhilalar Viduthalai Munnani
(Reg.No.MDS.2107) Rep. By State Federation President
342, Raja Nagar, Vadaputhupattu & PO, Vellore 635 812.

(R22 impleaded as per order dated 11.01.2018 by SMSJ & MGRJ IN WMP.
781/2018 in WP.330 of 2018)

23.Bharathiya Pokkuvarathu Thozhil Sangha Peravai (BMS)
No.5, Rangasayee Street, Perambur, Chennai 600011.
Rep. By its Vice President D.Vimeshwaran

(R23 are impleaded as per order dated 11.01.2018 by SMSJ & MGRJ IN WMP.
893/2018 in WP.330 of 2018)

24.Metropolitan Transport Corporation
Rep.by its Managing Director
Pallavan House Mount Road
Pallavan Salai, Chennai.2.



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25.State Express Transport Corporation
Rep. by its Managing Director
Thiruvalluvar House Pallavan Salai
Chennai. 2.

26.Tamil Nadu State Transport Corporation
Rep.by its Managing Director, Villupurram.

27.Tamil Nadu State Transport Corporation
Rep.by its Managing Director, Kumbakonam.

28.Tamil Nadu State Transport Corporation
Rep.by its Managing Director, Madurai.

29.Tamil Nadu State Transport Corporation
Rep.by its Managing Director, Coimbatore

30.Tamil Nadu State Transport Corporation
Rep.by its Managing Director, Tirunelveli.

31.Tamil Nadu State Transport Corporation
Rep.by its Managing Director, Salem

(R24 to 31 are impleaded as per order dt.08.03.2018 by SMKJ & MGRJ in WMP.1105, 2059, 2060, 3983 & 4058 of 2018 in WP.330/2018)

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to call respondents 2 and 3 and other 34 Unions and to settle the dispute immediately and to restore peaceful function of the Tamil Nadu Transport in order to maintain the public order.

For the Petitioner	:	No appearance
For 1 st Respondent	:	Mr.K.Karthik Jagannath, Gov. Advocate
For 2 nd Respondent	:	Mr.Ajoy Khose
For 3 rd Respondent	:	Mr.C.K.Chandrasekar
For Respondents 33, 34	:	Mr.R.Babu



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WP No.414 of 2018

V.Preetha

: Petitioner

versus

1.The Additional Chief Secretary to Government,
Tamil Nadu Transport Corporation Department,
Government of Tamil Nadu, Secretariat,
Fort St. George Chennai-9.

2.The Secretary to Government,
Tamil Nadu Transport Corporation Department,
Government of Tamil Nadu, Secretariat,
Fort St. George Chennai-9.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 and 2 to consider and allow the representation dated 05.01.2018 take disciplinary action and to suspend or issue charge under the service rules or both and to register case against those staffs who had thrown out the public in half the way in travelling without completing their assignment of the consignment as well as to deploy drivers to all the buses from the employment exchange seniority list and waiting list to run the buses and to give remedy to the public as well as to fix and pay compensation amount to all the public when they pray for that through their tickets and bus passes issued to them by their respective bus conductors without hesitation which may be deducted from the salary of each bus drivers and conductors who have thrown out their passengers without completing their consignment.

For the Petitioner : No appearance

For the Respondents : Mr.K.Karthik Jagannath, Gov. Advocate

WP No.478 of 2018

S.Suresh

: Petitioner

versus

1.The State of Tamil Nadu
Rep. by its chief Secretary
Fort St. George Chennai-9.



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- 2.The Secretary to Government,
Finance Department,
Fort St. George Chennai-9.
- 3.The additional Chief Secretary to Government,
Transport Department,
Fort St. George Chennai-9.
- 4.The Director General of Police,
Radhakrishnan Road, Chennai 4
- 5.Tamil Nadu Arasu Pokkuvarathu Kalagangailn Tholilalargal Sammelanam
No.2, Kalaiyarangam,
Pallavan Salai, Chennai 2
- 6.Tamil Nadu Arasu Pokkuvarathu Ooliyar Sammelanam
No.52, Gooks Road,
Otteri, Chennai 12.
- 7.Tholalalar Munnetra Sanga Peravai,
Kalaingaragam, No.25,
Thiyagarayar Street, Chennai 17
- 8.Marumalarchi Tholalar Munani,
12, Thayagam, Rukmani Lakshmipathy Road,
Egmore, Chennai 8.
- 9.Tamil Nadu Arasu Pokkurathukalaga Paniyalargal Sammelanam,
Tamil Nadu Arasu Pokkuravarathukalaga Complex,
Ring Road, madurai 10
- 10.Tamil Nadu Salai Pokkuvarathu Tholalargal Peravai,
No.193/B, Railway Colony,
Gandhi Irwin Road, Egmore, Chennai 8
- 11.Desiya Murpokku Tholil Sanga Peravai (DMTSP)
Tamil Nadu Arasu Pokkuravarathukalaga Complex,
No.175/7, Nehru Street, 100 feet Road, Koyambedu, Chennai
- 12.Dhiravidar Tholalar Kalaga Peravai,
No.10, EVK Sampath Road,
Vepperi, Periyar Thidal, Chennai 7



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13.Arivar Ambedkar labour Liberation Front (ALLF)
No.342, Raja Nagar, North Puthuopattu Post,
Ambr Sugar Mill Opposite, Vellore District

14.Tholillar Sanga Peravai,
No.12/2, Aadham Sahib Street,
Royapuram, Chennai 13.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondents 1 to 3 from treating the period of strike by the employees of respondents 5 to 14 and other employees as leave and consequently restraining the respondents 1 to 3 from dispersing the salary to the members of respondents 5 to 14 and other workers who are participating in the illegal strike from 04.01.2018 under the principle of "No Work No Pay".

For the Petitioner : Mr.S.Saravanan

For Respondents 1 to 4 : Mr.K.Karthik Jagannath, Gov. Advocate

WP No.415 of 2018

S.Santhosh Kumar : Petitioner

versus

- 1.Union of India
rep by Home Secretary, New Delhi
- 2.The State of Tamil Nadu
rep by its Chief Secretary
Fort St. George, Chennai-600 009
- 3.The Principal Secretary to the Government
Tamil Nadu State Transport Corporation Ltd
Pallavan House, Anna Salai, Chennai-600002



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- 4.The Director General of Police
Office of the Director General of Police
Radhakrishnan Road Chennai-600 004
- 5.Tholilalar Munnettra Sanga Peravai (LPF)
Kalaingaragam No.25
Thiyagarayar Street Chennai-17
- 6.Tamil Nadu Arasu Pokkuvarathu Ooliyar Sammelanam (CITU)
No.52 Gooks Road, Otteri, Chennai-12
- 7.Tamil Nadu Arasu Pokkuvarathukalagangalin Tholilalargal
Sammelanam (AITUC)
No.2 Kalaiyaramam, Pallavan Salai, Chennai-2
- 8.Tamil Nadu Salai Pokkuvarathu Tholilalargal Peravai (HMS)
No.193/B, Railway Colony Gandhi Irwin Road
Egmore, Chennai-8
- 9.Tamil Nadu Arasu Pokkuvarathukalaga Paniyalargal Sammelanam
Tamil Nadu Arasu Pokkuvarathukalaga Complex Ring Road, Madurai-10
- 10.Desiya Murpokku Tholirsanga Peravai (DMTSP)
Tamil Nadu Arasu Pokkuvarathukalaga Complex
175/7 Nehru Street, 100 Feet Road, Koyambedu Chennai-107
- 11.Marumalarchi Tholilalar Munnani (MLF)
12, Thayagam Rukmani Lakshmipathy Road, Egmore, Chennai-8
- 12.Tholilarsanga Peravai (PTS)
12/2 Aadham Sahib Street, Royapuram, Chennai-13
- 13.Arivar Ambedkar Pokkuvarathu Tholilalar Viduthalai Munnani (AALLF)
342, Raja Nagar North Puthuopattu Post Aambur
Sugar Mill Opposite Vellore District
- 14.Dhiravidar Tholilar Kalaga Peravai (DWU)
10 EVK Sampath Road Vepperi
Periyar Thidal Chennai-7
- : Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration to declare the strike called for by the Respondents 5 to 14 from 04.01.2018 as illegal and consequently direct the respondents 2 to 4 to take appropriate legal actions against the participants in the illegal strike announced by the respondents 5 to 14 under the essential services maintenance Act (ESMA) or any other appropriate Laws rules regulations etc.

For the Petitioner : No appearance

For Respondents 1 to 4 : Mr.K.Karthik Jagannath, Gov. Advocate

COMMON ORDER

(Made by the Hon'ble Chief Justice)

Mr.S.Saravanan, learned counsel for the petitioner in WP No.478 of 2018 submits that with the passage of time, nothing survives for consideration in the writ petition.

2.Heard Mr.K.Karthik Jagannath, learned Government Advocate for the official respondents.



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3. The petitioners in WP Nos.330, 414 and 415 of 2018 are not present. There is no representation on their behalf.

4. The writ petitions stand disposed of. There will be no order as to costs. Consequently, WMP Nos.385, 466, 467, 558, 581, 800, 801, 802 of 2018 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

06.11.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

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THE HON'BLE CHIEF JUSTICE

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D.BHARATHA CHAKRAVARTHY, J.

(tar)

WP Nos.330, 414, 415 & 478/2018

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