



W.P.No.10815 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10815 of 2018
and W.M.P.No.12755 of 2018

1. The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited
Head Office at No.12, Ramakrishna Road,
Salem-636 007.

2.The General Manager
Tamil Nadu State Transport
Corporation (Salem) Limited
Head Office at No.12, Ramakrishna Road,
Salem-636 007.

.. Petitioners

Vs.

1.The Presiding Officer,
Labour Court, Salem.

2.The State General Secretary
Tamil Nadu Thozhilalar Karaitheerkkum Thozhil Sangam
Having Office at 173B, 6th Veethi, Sakthi Nagar,
Thindal, Erode-638 012.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari call for the records pertaining to the order dated 18.09.2017 passed by the 1st respondent in I.E.S.O.P.No.1 of 2010 and quash the same.



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For petitioner : M/s.D.Venkatachalam

For Respondents : Mr.K.M.Ramesh, Senior Counsel
for M/s.S.Apunu for R2

ORDER

Aggrieved by the impugned order of the 1st respondent/Labour Court in I.E.S.O.P.No.1 of 2010, the petitioner is before this Court.

2. The petitioner corporation was originally functioning under the name of Anna Transport Corporation. Subsequently, vide G.O.No.168 dated 14.07.2997, the name of the petitioner corporation was changed as the Tamil State Transport Corporation (Salem Division-I) Limited. However, the petitioner corporation has been using the Standing Orders of the erstwhile Corporation. One Annai Sathya Transport corporation which was functioning at Dharmapuri had been renamed as the Tamil Nadu State Transport Corporation (Salem Division-II) Limited which was subsequently dissolved and amalgamated with the petitioner corporation on 30.12.2003. However, the petitioner corporation has been using the standing orders of the dissolved company for taking action against the employees who were working in the dissolved company. While so, a dispute was raised before the



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1st respondent with regard to certified standing orders, wherein the present impugned order dated 18.09.2017 came to be passed restraining the petitioner corporation from following the certified standing orders and a direction has been issued to follow the model standing orders. Challenging the same, the present Writ Petition has been filed.

3. When the matter is taken up for hearing, learned counsel for the petitioner corporation as well as the learned Senior counsel appearing on behalf of the 2nd respondent submitted that during the pendency of this Writ Petition, the matter was seized of by the Principle Labour Court, Salem.

4. In view of the aforesaid submission, nothing survives for further adjudication in this Writ Petition. There shall be no order as to costs.

5. Accordingly, the Writ Petition stands closed. However, the petitioner corporation as well as the 2nd respondent are at liberty to work out the remedy with regard to model standing orders. However, it is made clear that the disciplinary proceedings if any, initiated against the existing employees of the dissolved company, on the basis of the certified standing orders shall



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be kept in abeyance till the model standing orders are approved and notified by the State Government. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition stands closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No

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