



W.P.No.42141 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.42141 of 2016

and

W.M.P.No.36059 of 2016

The Management,
Tamil Nadu State Transport Corporation Ltd.,
Coimbatore – 43.
Represented by the Managing Director. ... Petitioner

Vs.

1.The Special Deputy Commissioner of Labour,
DMS Compound,
Chennai – 600 006.

2.M.Krishnasamy ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records of the first respondent made in AP.No.132 of 2012 dated 30.10.2013 consequently, quash the same.

For Petitioner : Mr.A.Sundaravadanam

For Respondents : Mr.G.Purushothaman [R2]



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ORDER

This Writ Petition has been filed seeking for a Writ of Certiorari, to quash the records of the first respondent made in AP.No.132 of 2012 dated 30.10.2013.

2. The case of the petitioner is that, the second respondent was working as conductor in the petitioner Corporation and on 19.04.2011, while he was on duty, the checking inspectors were checking the passengers and found that the second respondent, after getting Rs.10 from the passenger for two tickets, but one ticket for three rupees and another one which was not authenticate ticket were issued to the passenger. Thereby, disciplinary proceedings was initiated and concluded in the dismissal order. Thereafter, the petitioner Management filed approval petition before the first respondent under Section 33(2)(b) of the Industrial Disputes Act, 1947, in A.P.No.132 of 2012, however, the same was rejected by the first respondent. Challenging the same, the above writ petition has been filed.



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3. However, it was brought to the notice of this Court that, during the pendency of this writ petition, the second respondent was reinstated into service on 28.08.2014 and was subsequently, retired from service on 30.06.2022.

4. In view of the above, nothing survives for adjudication in this writ petition. Accordingly, the Writ Petition is dismissed as infructuous. No costs. Consequently, the connected miscellaneous petition is closed.

24.07.2023

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

To

The Special Deputy Commissioner of Labour,
DMS Compound,
Chennai – 600 006.



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M.DHANDAPANI, J.

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