



WEB COPY



WP.No.34942 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

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

W.P.No. 34942 of 2014

and

M.P.No.1 of 2014

The Management,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Division,
Barathipuram, Dharmapuri-05,
Rep by its General Manager ... Petitioner

Vs

1. P.Manivannan
2. The Presiding Officer,
Labour Court,
Salem. ... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the order passed by the 2nd respondent in I.D.No.64 of 2007 dated 02.12.2013 and to quash the same as illegal.

For Petitioner : Mr.R.Babu
For R1 : Mr.K.V.Shanmuganathan
For R2 : Court



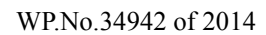
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ORDER

This Writ Petition has been filed challenging the Award dated 02.12.2013 passed in I.D.No.64 of 2007 by the second respondent, thereby ordering to reinstate the first respondent in service within a period of two months without any back wages and continuity of service.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for first respondent and perused the materials available on record.

3. The first respondent was selected and he was appointed as Driver on 26.11.1992 on daily wages. His service was regularised on 01.10.1993. According to the petitioner, the first respondent had produced certificate for education qualification wherein it was mentioned that the first respondent completed IX Standard and he studied from Naganur Government High School of Vellore District and the same was sent for verification to the Chief Educational Officer, Vellore and Tiruvannamalai District. On receipt of the report from the Chief Educational Officer, the Government School, Naganur, it is seen that the name of the first respondent



a bogus one.

wages and with service continuity.

examined one witness as MW.1 and marked Exs.P1 & P2.

produce by the first respondent revealed that it was issued by the Head



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Master, Government High School, Naganur, North Arcot District. Whereas,

Ex.D10 was issued by the Chief Educational Officer, Vellore District. The North Arcot District was bifurcated into Tiruvannamalai and Vellore District. The Chief Educational Officer failed to examine whether the Government High School, Naganur is within the jurisdiction of Tiruvannamalai District or Vellore District. Without even verifying the same, the Chief Educational Officer, sent the report that no Government High School, Naganur is available within the jurisdiction of Vellore Educational District.

7. Therefore, the Transfer Certificate produced by the first respondent is a bogus one. Therefore, the second respondent rightly concluded that the termination of the first respondent was not justified by the petitioner and ordered for reinstate with service continuity and without back wages. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent in I.D.No.64 of 2007 dated 02.12.2013.

8. Accordingly, this Writ Petition stands dismissed.



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Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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Index: Yes/No
Internet: Yes/No
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To
The Presiding Officer,
Labour Court,
Salem.

G.K.ILANTHIRAIYAN,J.



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