



W.P.(MD)No.14450 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.14450 of 2012

and

M.P.(MD)No.1 of 2012

Tamilnadu Arasu Pokkuvarathu Thozhilar
Sangam-CITU,
represented by its General Secretary,
No.6/662, Lakshmi Nagar,
Virudhunagar-1.

... Petitioner

vs.

1.The Management of the Tamil Nadu
State Transport Corporation (Madurai)
Limited,
represented by its Managing Director,
Bypass Road, Madurai 625 016.



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2.The Management of the Tamil Nadu
State Transport Corporation (Madurai)
Limited,
Virudhunagar Region,
represented by its General Manager,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to give promotion to the post of Foreman based on only seniority of the employees working in the post of Senior Tradesman/Senior Tradesman - Level V/ Senior Tradesman - Level VI grades and in accordance with the existing practice in the 1st respondent Corporation and forbear the respondents from filling up the post of Foreman by making selection from the employees who are working in the post of Tradesman and having the Diploma qualification, without issuing notice U/S 9(A) of I.D. Act, 1947.

For Petitioner : No appearance
For Respondents : Mr.J.Senthil Kumaraiah



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domain of the respondents. If there are no rules, the respondents ought to formulate the rules. If the respondents have not formulated any rules, the Union is having every right to negotiate with the respondents to fix any ratio. Without adhering to all these things, the petitioner has come forward to file this writ petition.

3. This Court is not inclined to entertain this writ petition. However, the respondents and the petitioner Union is at liberty to enter into any settlement under 12(3) of the Industrial Disputes Act.

4. With the above said observation, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes
NCC : Yes / No
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S.SRIMATHY, J

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