



W.P(MD)No.17906 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.17906 of 2016

T.John Britto

...Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam – Kottam II)Ltd.,
Periyamilaguparai, Tiruchirappalli.

2. The Presiding Officer,
Labour Court, Tiruchirappalli.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus to call for the records of the 2nd Respondent herein in ID No.73/2002 dated 13.12.2012 insofar as the denial of 75% of back wages, quash the same and to direct the 1st Respondent management to pay the wages from the date of dismissal to the date of superannuation along with terminal and other pensionary benefits.



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For Petitioner : No appearance

For R1 : Mr.S.C.Herold Singh

ORDER

This Writ Petition has been filed seeking a writ of mandamus against the order dated 13.12.2012 in ID No.73/2002 passed by the 2nd respondent insofar as the denial of 75% of back wages and to quash the same with a consequential direction to the first respondent to pay the wages from the date of dismissal of the date of superannuation along with the terminal benefits and other pensionary benefits.

2. In the absence of the learned counsel for the petitioner, this case was listed from 10.07.2023 onwards under the caption 'for dismissal'. Today also, there is no representation for the petitioner.

3. During the course of hearing. the learned counsel for the 1st respondent submits that against the same award, the 1st



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respondent filed W.P(MD)No.18652 of 2016 before this Court and the said Writ Petition was allowed by order dated 09.03.2018. The learned counsel has also placed a copy of the said order.

4. On a perusal of the same, it appears that the order dated 13.12.2012 in ID.No.73/2022 is under challenge in the said Writ Petition. The said Writ petition was allowed and the award under challenge is set aside. In my considered view, no further adjudication is required in this Writ Petition in view of the fact that the order impugned in this Writ Petition has already been set aside by the order of this Court dated 09.03.2026 in W.P(MD)No.18652 of 2016.

5. Accordingly, this Writ Petition is dismissed as infructuous.

4. No costs.

28.08.2023

Index : Yes / No
NCC : Yes / No
CM



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- To,
1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam – Kottam II)Ltd.,
Periyamilaguparai, Tiruchirappalli.
 2. The Presiding Officer,
Labour Court, Tiruchirappalli.



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BATTU DEVANAND, J.

CM

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