



W.P.(MD).No.24406 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.24406 of 2023

and

W.M.P(MD)Nos.20595 & 20596 of 2023

P.Ganesan

working as
Conductor - (CR-30479)
Tamil Nadu State Transport Corporation (TNSTC),
Sattur Branch,
Sattur,
Virudhunagar District.

... Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (TNSTC),
Madurai Region,
By-pass Road,
Madurai.
- 2.The Joint Labour Commissioner,
Race Course Road,
Madurai.
- 3.The General Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Virudhunagar Division,
Virudhunagar & District.



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4.The Assistant Labour Commissioner,
Collectorate Campus,
Virudhunagar,
Virudhunagar District.

5.The Branch Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Sattur Branch,
Sattur,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the impugned fifth respondent's 2023 - Rotation Batch work allotment chart, dated 29.09.2023 and quash the same.

For Petitioner : Mr.R.Murugappan

For R-2 & R-4 : Mr.G.Sivaraja
Government Advocate

ORDER

The present writ petition has been filed by a Special Grade Conductor working in the fifth respondent Transport Corporation challenging the work allotment order issued in the month of September 2023.



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2. According to the learned Counsel appearing for the petitioner, the work allotment order has been issued in such a way, that no weekly holiday has been allotted to the Drivers and Conductors. He further contends that without hearing the Drivers and Conductors, the rotation batch work allotment order has been issued by the fifth respondent. He further contends that this work allotment order has been issued only for the Sattur Branch and it has not been issued for any other Branch. He points out that if the petitioner works under such an allotment order, they will be forced to work continuously without any leave like a machine. Hence, he has prayed for quashing the work allotment order of the fifth respondent herein.

3. The day to day work allotment of an employer with regard to the Drivers and Conductors is completely within the realm of the respondents herein. A perusal of the work allotment order indicates that the petitioner with staff No.30479 has been given weekly holiday on a Sunday. Therefore, the contention of the writ petitioner that he is forced to work without a weekly holiday is not factually correct. That apart, the work allotment order has to be decided only by the employer and the Court cannot run the bus Depot of the Transport Corporation. Hence, there are no merits in the present writ petition.



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4. This writ petition stands dismissed. There shall be no order as to costs.

Consequently, connected Miscellaneous Petitions stand closed.

06.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

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- 3.The General Manager,
Tamil Nadu State Transport Corporation (TNSTC),
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Virudhunagar & District.
- 4.The Assistant Labour Commissioner,
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5.The Branch Manager,
Tamil Nadu State Transport Corporation (TNSTC),
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R.VIJAYAKUMAR, J.

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