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W.P.(MD)NO.27212 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.27212 & 27213 of 2022 AND
W.M.P.(MD)Nos.21353, 21354, 21357 & 21358 of 2022 &
W.M.P.(MD)Nos.6551 & 6553 of 2023

C.Chandrasekar ... Petitioner
in W.P.(MD)No.27212 of 2022

R.Kubendran ... Petitioner
in W.P.(MD)No.27213 of 2022

Vs.

1. The Tamil Nadu State Transport Corporation Ltd.,
Rep. By its Managing Director,
Madurai Division, Bye pass Road,
Madurai – 625 016.

2. The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Madurai Division, Bye pass Road,
Madurai – 625 016.

3. The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Usilampatti, Madurai.

... Respondents
in both WPs.

Prayer in W.P.(MD)No.27212 of 2022 : Writ petition is filed under
Article 226 of the Constitution of India, to issue a Writ of Certiorari, to



call for the records pertaining to the impugned order in Nirvagam/A3/15730/2022 dated 19.11.2022 on the file of the respondent No.2 and quash the same as illegal.

Prayer in W.P.(MD)No.27213 of 2022 : Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in Nirvagam/A4/13035/2022 dated 19.11.2022 on the file of the respondent No.2 and quash the same as illegal.

(in both WPs.)

For Petitioner : Mr.G.Karthik,
for M/s.Lajapathi Roy & Associates.

For Respondents : Mr.S.Sivabalaji,
Standing Counsel.

COMMON ORDER

Heard the learned counsel on either side.

2. The writ petitioners are working as Driver and Conductor in the respondent Corporation. They came under adverse notice of the management in respect of an occurrence that took place on 05.11.2022.

The petitioners were suspended from service. Later, suspension order



was revoked and they were visited with the impugned orders.

Challenging the same, these present writ petitions came to be filed.

3. I granted interim stay. Vacate stay petitions have been filed by the management. A reading of the materials on record indicates that controversy has arisen in the circumstances mentioned above. In order to maintain discipline, it is open to the management to transfer these employees in such cases. But where the conduct attributed to the petitioners is not that serious, they can be spared with the disciplinary action. In the facts and circumstances of this case, the transfer of the petitioners alone meets the ends of justice. The management need not vex them with initiating any disciplinary action. I restrain the management from initiating any disciplinary action in respect of the occurrence in question. The orders of transfer are sustained. The writ petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

22.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Madurai Division, Bye pass Road,
Madurai – 625 016.
2. The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Madurai Division, Bye pass Road,
Madurai – 625 016.
3. The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Usilampatti, Madurai.



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W.P.(MD)NO.27212 OF 2022

G.R.SWAMINATHAN,J.

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W.P.(MD)Nos.27212 & 27213 of 2022

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