



W.P.(MD).No.30006 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30006 of 2023

and

W.M.P(MD) Nos.25877 and 25878 of 2023

C.Nagavel

Vs.

... Petitioner

1. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,
Dindigul.

2. The Branch Manager,
Vedasandur Branch,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,
Vedasundur,
Dindigul District.

3. The Branch Manager,
Cumbam-II Branch,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,
Cumbam, Theni District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamas after calling for the records relating to the impugned transfer order dated 05.12.2023 passed in Ref.Admn/P2/251-1 by the first respondent transferring the petitioner from Vedasandur/2nd respondent branch to Cumbam/3rd respondent branch and the relieving order dated 09.12.2023 passed by the second respondent relieving him from work from Vedasandur/ 2nd respondent branch and quash the same and consequently direct the first respondent to permit him to continue to work in the Vedasandur/2nd respondent branch and to treat the period from 09.12.2023 to the date of allowing him to join duty at the Vedasandur/2nd respondent branch as his working days for all purpose and to pay the petitioner wages for the same.

For Petitioner : Mr.S.Arunachalam
For Respondents : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed by a Conductor of the respondent Transport Corporation challenging the order of transfer from Vedasanduur to Cumbam-II Branch on administrative grounds.



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2. According to the learned counsel appearing for the petitioner, he has been issued with a Charge Memo and therefore, the present order of transfer is punitive in nature. However, this Court is not inclined to consider the said request.

3. The learned Standing Counsel appearing for the respondents Transport Corporation brought to the notice of this Court that a vacancy is available at Vathalagundu.

4. In view of the above said facts, this Court directs the petitioner to join duty on the transferred place namely Cumbam -II Branch on 22.12.2023 and thereafter give representation to the respondents authorities seeking transfer to Vathalagundu. On receipt of the said representation, the authorities are directed to consider the same positively within a period of one week from the date of receipt of the representation.



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5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

21.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,
Vedasundur,
Dindigul District.
3. The Branch Manager,
Cumbam-II Branch,
Tamil Nadu State Transport Corporation
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R.VIJAYAKUMAR,J.

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