



W.P.No.2081 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2024

CORAM

THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.2081 of 2022
and
WMP.No.2238 of 2022

K.Baladhandapani

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Head Quarters,
Mettupalayam Road,
Coimbatore.
- 2.The Deputy Manager (MCOP),
Tamil Nadu State Transport Corporation,
Erode Zone, Chennimalai Road,
Erode.
- 3.The Branch Manager,
Tamil Nadu State Transport Corporation,
Dharapuram Division,
Dharapuram,
Tiruppur District.
- 4.Gunasekaran,
Duty Controller,
Tamil Nadu State Transport Corporation,
Dharapuram Branch,



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Dharapuram,
Tiruppur District.

... Respondents

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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus calling for the records of order in Pa.NO.SPL/B16/PaBi2/TNSTC/Ko/EMa/2019 dated 10.05.2019 passed by the 2nd respondent herein and quash the same and consequently direct the respondents to conduct a fair enquiry and action on the petitioner's representation dated 12.12.2017.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.M.Murali Vinoth
standing counsel for
Transport Corporation.

ORDER

This Writ Petition is filed challenging the impugned order dated 10.05.2019. The impugned order is passed in compliance with the earlier direction of this Court in W.P.No.1022 of 2019. By the said judgement dated 22.01.2019, the petitioner's representation dated 12.12.2017 was directed to be considered. Now, after considering the representation, the respondents have stated certain reasons; It is stated that the annual increments and the first revision of pay have been granted to the petitioner in the respective



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quarters. The two days of suspension on 30.10.2017 and 31.10.2017 are regularized as leave as admissible, and salary has also been granted.

2. As far as his grievances regarding the branch, the petitioner was directed to get the relevant information from the branch heads. Now the grievance of the petitioner is that the representation was directed to be considered by this court after affording a personal opportunity to the petitioner. Without affording the said opportunity, the impugned order is now passed. It may also be seen that the petitioner has already filed a contempt petition in respect thereof; the said contempt is also closed by order dated 05.08.2021. When this Court posted a specific question as to what relief can be granted even if the order is set aside, the learned counsel for the petitioner submits that the respondents may be again directed to consider the representation.

3. On a perusal of the representation, I find that multiple reliefs have been prayed for by the petitioner, right from the day-to-day working of the branch up to his pay fixation. Such a representation with multiple grievances cannot now be ordered to be considered for the second time by this Court. Firstly, unless there is a statutory right on the petitioner to file an appeal or



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any revision, the order to consider the representation cannot be repeatedly passed. This Court sees no purpose in passing such an order to again consider the representation.

4. Therefore, finding no merit, the Writ petition is bound to fail. If the petitioner has any specific grievances against his punishment or any other service matter of his own and if he is entitled to file a statutory appeal regarding the same, he should file separate and specific appeals in respect of the same, and if the same is not considered by the authority, thereafter only this Court can pass orders. Therefore, keeping the said option of the petitioner open, the Writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

21.06.2024

Neutral Citation :Yes/No
jrs



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To

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1. The Additional Chief Secretary to
Government Water Resources Department,
Secretariat, Chennai-09.
2. The Engineer in Chief & Chief
Engineer (General),
Water Resources Department,
Chepauk, Chennai-600 005.
3. The Chief Engineer, W.R.D,
Design Research & Construction Support,
Chepauk, Chennai-600 005.



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D.BHARATHA CHAKRAVARTHY, J.

jrs

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