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W.P.No.28843 of 2011

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 11.01.2024**

**CORAM :**

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

**Writ Petition No.28843 of 2011**  
**and M.P.No.1 of 2011**

P.Dandapani  
Petitioner

...

-Vs-

The General Manager,  
Tamil Nadu Transport Corporation,  
(Villupuram Division I)  
Villupuram – 605 602,  
Villupuram.

... Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the respondent in his proceedings Ka.Ku.No.14/1797/T5/TNSTC/2001 dated 12.04.2011 and quash the same and consequently directing the respondent to pay all the monetary benefits which was due to the petitioner.

For Petitioner : Mr.K.Bharathi

For Respondent : Mr.M.Aswin



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### **ORDER**

The impugned order in this writ petition is the order passed by the respondent Transport Corporation dated 12.04.2011.

2. By the said order, pursuant to the disciplinary proceedings initiated against the petitioner, a punishment of reduction of pay has been inflicted by the Management. As against which, remedy open to the petitioner to raise an industrial dispute, instead, the petitioner has filed this writ petition invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution.

3. Since there has been an alternative statutory efficacious remedy available under the provisions of the Industrial Disputes Act, 1947 for redressal of his grievance if any, against the order dated 12.04.2011, the petitioner can very well agitate the issue before the Labour Court/Industrial Tribunal. Hence, this Court feels that this writ petition can be rejected with liberty to the petitioner to approach the Labour Court.



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4. Resultantly, this writ petition is dismissed for availing the alternative remedy by approaching the Labour Court under the provisions of the Industrial Disputes Act, 1947 to raise an industrial dispute to redress the grievance of the petitioner. Accordingly, this writ petition is dismissed. No costs. Connected miscellaneous petition is closed.

**11.01.2024**

Index : Yes/No  
Speaking order: Yes/No

mp



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**R. SURESH KUMAR, J.**

mp

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**11.01.2024**