



W.P.No.9369 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 03.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.9369 of 2011

V.G.Manikandan

....Petitioner

Vs

1. The Managing Director,
Tamil Nadu Government Transport
Corporation Ltd., Division-I,
Villupuram.

2. The General Manager,
Tamil Nadu Government Transport
Corporation Ltd., Division -I,
Villupuram

....Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for records relating to the second respondents order made in Ka.Ku.No.1044/4426/D2/TNGTC(C) 2008 dated 13.07.2009 confirmed by the first respondent's proceedings made in Ka.Ku.No.1044/4426/D2/tha na aa po ka/09 dated 21.09.2010, to quash the same and consequently direct the respondents to extend all service benefit arising thereto.



W.P.No.9369 of 2011

(Prayer amended as per order dated 06.06.2011 in M.P.No.01 of 2011 in W.P.No.9369 of 2011)

For Petitioners : Mr.L.Chandrakumar

For Respondents : Mr. M.Aswin

ORDER

The Writ Petition has been filed challenging the rejection of petitioner's appeal petition in Ka.Ku.No.1044/4426/D2/tha na aa po ka/09 dated 21.09.2010.

2. It is seen from the submissions of the learned counsel appearing for the parties that, petitioner was imposed with punishment of postponement of increment for a period of two years with cumulative effect for alleged misconduct of receiving an amount of Rs.10/- from a private but operator. His suspension period is treated as leave from his leave account. Challenging this punishment, petitioner filed an appeal in Ka.Ku.No.1044/4426/D2/tha na aa po ka/09 on 21.09.2010. First respondent after considering the seriousness of the misconduct, rejected the appeal. Challenging the rejection order, present petition is filed.

3. Mr.M.Aswin, learned counsel for the respondents that, petitioner



W.P.No.9369 of 2011

ought to have approached Labour Court for appropriate relief, instead he filed the present Writ Petition before this Court, which is not maintainable.

Hence, he seeks for dismissal of the present petition.

4. This Court concurs with the views expressed by the learned counsel for the respondents that petitioner can only approach the Labour Court raising an industrial dispute and he cannot straight away approach this Court challenging the dismissal of the appeal petition.

5. In such circumstances, this Writ Petition is dismissed. However, there shall be no order as to costs.

03.01.2024

Index :Yes/No
Internet:Yes/No
Sma

G.CHANDRASEKHARAN, J



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W.P.No.9369 of 2011

Sma

To

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Tamil Nadu Government Transport
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2. The General Manager,
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