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W.P.No.33674 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.09.2024

CORAM

THE HONOURABLE MR.JUSTICE **MUMMINENI SUDHEER KUMAR**

W.P.No.33674 of 2012 &
M.P.No.1 of 2012

M.Nazir Ahmed
Assistant Manager (Central Stores)
State Express Transport Corporation
(Tamilnadu) Ltd.,
No.2, Pallavan Salai,
Cennai – 2

...Petitioner

Vs

1. The Managing Director,
State Express Transport Corporation
(Tamil Nadu) Ltd., No.2,
Pallavan Salai, Chennai – 2

2. The General Manager
State Express Transport Corporation
(Tamil Nadu)Ltd., No.2,
Pallavan Salai, Chennai – 2

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the respondents of the impugned order in Order No.09/019510/HR6/SETCTN/2007-I dated 10.10.2012 issued by the 1st respondent and quash the same and consequently, direct the respondents to restore the petitioner in the promotional post of Assistant Manager with



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all consequential and other benefits within a time frame.

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For Petitioner : Mr.G.Sankaran
Sr.Counsel for
Mr.Nedunchezhiyan

For Respondents : Mr.L.S.M.Hasan Faizal
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order dated 10.10.2012 whereby the petitioner was reverted from the post of Assistant Manager (Technical) to the post of Selection Grade Senior Assistant Engineer with effect from 22.06.2012.

2. From the perusal of the impugned order, it is evident that the said order of reversion was issued without following the principles of natural justice and without affording opportunity to the petitioner. However, in the counter affidavit filed by the respondents, it is stated that the impugned order was issued reverting the petitioner due to error occurred due to change of date of promotion of Thiru. A.Gregory, Senior Assistant Manager from 21.12.2010 to 22.06.2012.

3. Today, this Court, in W.P.No.35360 of 2012 passed an order,



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whereby the date of promotion of said Thiru. A.Gregory, was altered from 21.12.2010 to 22.06.2012 and permitted the respondents for considering the same afresh after affording opportunity to the petitioner. In the light of the said order, the order impugned in this Writ Petition is also liable to be set aside and accordingly, the impugned order is set aside and the matter is remanded back to the respondents for re-consideration of the matter in accordance with law.

Accordingly, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

18.09.2024

Index: Yes/No;
Internet: Yes/No
Speaking order / non speaking order
ssd

To

1. The Managing Director,
State Express Transport Corporation
(Tamil Nadu Ltd., No.2,
Pallavan Salai, Chennai – 2



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2. The General Manager
State Express Transport Corporation
(Tamil Nadu Ltd., No.2,
Pallavan Salai, Chennai – 2

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MUMMINENI SUDHEER KUMAR J.,

ssd

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M.P.No.1 of 2012

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