



WEB COPY



W.P.No. 18451 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.18451 of 2024

N.Sasikumar

....

Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Salai,
Salem – 636 007.

2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Dharmapuri.

....

Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to permit the petitioner to join duty as a Driver in the respondent Corporation.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.K.Raja
Standing Counsel



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ORDER

This Writ Petition has been filed for direction directing the respondents to permit the petitioner to join duty as a Driver in the light of the revocation of the suspension order.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner, while he was working as Driver, suspended from service, by an order dated 21.02.2024, on the ground that the petitioner has been involved in a criminal case in Crime No.90 of 2024, registered for the offences under Section 294(b) of IPC and Section 3(1)(r) and 3(1)(za)(D) of the SC/ST (Prevention of Atrocities) Act, 1989 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. The petitioner was arrested and remanded to judicial custody. He was granted bail and thereafter, his order of suspension was revoked by the second respondent by an order dated 17.05.2024. However, the second respondent is not permitting the petitioner to join duty as driver in the respondents Corporation.



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4. On perusal of the order of revocation dated 17.05.2024, it is clear that in the order of suspension of revocation, a final order has been passed. Therefore, the second respondent ought to have permitted the petitioner to join duty.

5. In view of the above, the second respondent is directed to permit the petitioner to join duty as Driver and proceed with the disciplinary proceedings.

6. With the above direction, this writ petition stands disposed of. No costs.

10.07.2024

Internet : Yes/No
Index:Yes/No
Speaking/Non-speaking
Neutral Citation : Yes/No
Lpp

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Salai, Salem – 636 007.

2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region, Dharmapuri.



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G.K.ILANTHIRAIYAN, J.

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