



WEB COPY



W.P.No.2 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.2 of 2021

S.Kumar

...

Petitioner

Vs.

1. Tamil Nadu State Transport Corporation (Coimbatore) Ltd,
Rep. by its Managing Director 37,
Mettupalayam Road,
Coimbatore - 641 043

2. The General Manager
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd, Coimbatore Region, 37,
Mettupalayam Road,
Coimbatore - 641 043

3. The Branch Manager
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd, Sungam I Branch
Coimbatore - 641 018

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Certiorarified Mandamus by call for records pertaining to the relieving order dated 03.03.2020 vide.79/E3P/Pa.Thu1/Tha Aa. Poa Ka(Ko)/2010 issued by the second respondent office and quash the same and subsequently direct the



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respondent Corporation to reinstate the petitioner as conductor with the continuation of service with all attendant benefits.

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For Petitioner : Mr.A.Suresh Sakthi Murugan

For Respondents : Mr.A.Sundaravdhanan

ORDER

Heard, Mr.A.Suresh Sakthi Murugan, learned counsel for the petitioner, Mr.A.Sundaravdhanan, learned standing counsel for respondents 1 to 3 and perused the materials available on record.

2. The petitioner joined the service of the Respondent Transport Corporation as a conductor on 19.04.2014 and he was relieved from service on 02.03.2020 and 2020. To that effect, an order was issued on 03.03.2020. In the said order, it has been stated that the petitioner has requested his resignation. However, now the petitioner has turned back and claimed that he has not given any resignation and that the impugned order has been issued by a person who is not competent to issue it.

3. It is further submitted that he has given a request for reinstatement, but



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the respondents have rejected the same on 07.12.2020. Now the petitioner has challenged the relieving order dated 03.03.2020 and is seeking direction to reinstate the petitioner.

4. Even before filing this Writ Petition, the petitioner had given representation for reinstatement and the same was rejected by the respondent on 07.07.2020 and 2020. Subsequently, the petitioner's remedy would be only before the appropriate forum and in an appropriate manner known to law, not by way of challenging the relieving order dated 03.03.2020. Hence, this Writ Petition is not maintainable.

In the result, this Writ Petition stands **dismissed**. No costs.

27.02.2024

Internet : Yes/No
Speaking/Non- Speaking
Neutral: Yes/No
jrs



To

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R.N.MANJULA, J.
jrs

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