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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.26930, 26934, 26939 and 27349 of 2024
and W.M.P.Nos.29445, 29449, 29455 & 29839 of 2024

The Management,
Tamil Nadu State Transport
Corporation (Salem) Limited,
12, Ramakrishna Road,
Salem - 7.

...

Petitioner
[in all W.Ps]

versus

1.A.Murugesan

...

Respondent
[W.P.No.26930 of 2024]

1.C.Palanisamy

...

Respondent
[W.P.No.26934 of 2024]

1.V.Selladurai

...

Respondent
[W.P.No.26939 of 2024]

1.T.Ravichandran

...

Respondent
[W.P.No.27349 of 2024]

2.The Special Joint Commissioner of Labour,
DMS Campus,
Anna Salai, Chennai.

...

Respondent
[in all W.Ps]



Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the orders dated 09.11.2023 and 29.12.2023 passed by the second respondent in Approval Petition Nos.77, 85, 86 and 194 of 2022 and quash the same, consequently direct the second respondent to approve the orders of the petitioner dated 28.07.2022 and 30.03.2022 respectively, dismissing the respective first respondents from service.

For Petitioner	:	Mr.K.Raja
[in all W.Ps]		
For Respondent No.1	:	No Appearance
[in all W.Ps]		
For Respondent No.2	:	Mrs.M.Jayanthy
[in all W.Ps]		Additional Government Pleader

COMMON ORDER

These Writ Petitions have been filed challenging the orders of dismissal dated 09.11.2023 and 29.12.2023 passed by the second respondent in Approval Petition Nos.77, 85, 86 and 194 of 2022 respectively.

2. Heard Mr.K.Raja, learned counsel for the petitioner and Mrs.M.Jayanthy, learned Additional Government Pleader for the second respondent and perused the materials available on record.



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3. Mr.K.Raja, learned counsel for the petitioner submitted that copy of the orders have been submitted to the respective first respondents on 28.07.2022 and 30.03.2022 and it contains a seal showing the dates as 30.03.2022 and 28.07.2022. However, in the impugned orders, it had been stated that the approval petitions had been filed only on 11.04.2022 and 10.08.2022 and no other reasons have been stated for rejecting the approval petitions.

4. In fact, the respective first respondents workmen were set *ex parte* even in the approval petition proceedings on the observation that the approval petitions have been filed after a considerable delay. Since the records show the fact otherwise, I feel it is appropriate to remit the matters back to the file of the second respondent for fresh consideration and pass orders after rechecking the actual date during which the approval petitions have been filed and also by issuing a fresh notice to the respective first respondents by giving them an opportunity to make their submissions.

5. With the above observations, these Writ Petitions are **disposed**.
No costs. Consequently, connected Miscellaneous Petitions are closed.



19.09.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

The Special Joint Commissioner of Labour,
DMS Campus,
Anna Salai, Chennai.



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R.N.MANJULA, J.

sri

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19.09.2024