



WEB COPY



W.P.No.27288 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.27288 of 2022 and
W.M.P.No.26482 of 2022

S.Kumaraguru

... Petitioner

-Vs-

1.State of Tamilnadu,
Rep. by its Additional Chief Secretary to Government,
Transport Department, Secretariat,
Chennai-600 009.

2.M/s.Tamilnadu State Transport Corporation,
(Kumbakonam) Limited,
Rep. by its Managing Director,
No.27, New Railway Station Road,
Kumbakonam-612 001.

3.M/s.Tamilnadu State Transport Corporation,
(Kumbakonam) Limited,
Rep. by its General Manager,
No.27, New Railway Station Road,
Kumbakonam-612 001.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent in his impugned order in த.அ.பொ.க/டி6/ஏடிபி/421/2002 dated 26.08.2002 and consequently direct the 3rd respondent to restore the periodical increments, review, weightage and wage settlements arrived under Section



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12(3) of the Industrial Disputes Act, regularization of suspension period from 02.10.2004 to 02.07.2006 and pay the consequential benefits with 6% interest to the petitioner.

For Petitioner : Mr.D.Soundar Raj

For Respondent 1 : Mr.K.H.Ravikumar,
Government Advocate

For Respondents 2 & 3 : Mr.C.Senapathi

ORDER

This writ petition has been filed challenging the order passed by the 3rd respondent in his impugned order in த.அ.பொ.க/டி6/ஏடிபி/421/2002 dated 26.08.2002 and consequently direct the 3rd respondent to restore the periodical increments, review, weightage and wage settlements arrived under Section 12(3) of the Industrial Disputes Act, regularization of suspension period from 02.10.2004 to 02.07.2006 and pay the consequential benefits with 6% interest to the petitioner.

2. While pending this writ petition, the petitioner also filed an appeal as against the order of punishment dated 26.08.2002 before the appellate authority. Now the appellate authority also dismissed the appeal and confirmed the order passed by the 3rd respondent. Therefore, the petitioner did not challenge the order passed by the 3rd respondent dated 26.08.2002.



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3. Hence, this writ petition is devoid of merits and liable to be dismissed.

Accordingly, this Writ Petition is dismissed with liberty to challenge the order passed by the appellate authority in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

29.01.2024

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Additional Chief Secretary to Government,
State of Tamilnadu,
Transport Department, Secretariat,
Chennai-600 009.
- 2.The Managing Director,
M/s.Tamilnadu State Transport Corporation,
(Kumbakonam) Limited,
No.27, New Railway Station Road,
Kumbakonam-612 001.
3. The General Manager,
M/s.Tamilnadu State Transport Corporation,
(Kumbakonam) Limited,
No.27, New Railway Station Road,
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