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W.A.No.3394 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and**

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.A.No.3394 of 2023

M.Krishnamurthy

... Appellant

Vs.

1. The Management,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Tiruvannamalai Region,
Vengikal, Tiruvannamalai District.

2. The Labour Court,
Vellore.

... Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 27.07.2023 made in W.P.No.24384 of 2015.

For Appellant : Mr.M.Selvam

For R1 : Mr.M.Aswin

For R2 : Labour Court



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J U D G M E N T

(Judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

The Writ Appeal has been instituted against the order dated 27.07.2023 passed in W.P.No.24384 of 2015.

2. The writ petitioner/ employee is the appellant before us. The writ petitioner states that he was appointed as Driver in the first respondent Corporation on 21.03.2008, as a reserve crew. He claims that he had served 240 days. In the year 2012, the writ petitioner caused an accident and a criminal case was registered in Crime No.562 of 2012. After a lapse of few years, the writ petitioner raised an Industrial Dispute in I.D.No.160 of 2014. The Labour Court, Vellore dismissed the said Industrial Dispute. Challenging the said award, the Writ Petition was filed. The writ court considered the issues and held that the writ petitioner was engaged as a reserve crew Driver to drive the Bus when the demand arises. The writ petitioner was not engaged as a Driver for several years by the Transport Corporation on account of the fact that the Bus driven by him was involved in an accident in the year 2012. Considering the fact that the writ petitioner



was a reserve crew Driver, the relief of reinstatement was not granted.

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3. Thus, we do not find any reason to interfere with the order passed by the Writ Court. Consequently, the order impugned stands confirmed and the Writ Appeal stands dismissed. No costs.

(S.M.S.,J.) (K.R.S.,J.)
28.03.2024

skr

Index : Yes

Speaking order

To

1. The Management,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Tiruvannamalai Region,
Vengikal, Tiruvannamalai District.
2. The Labour Court,
Vellore.



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S.M.SUBRAMANIAM, J.
and
K.RAJASEKAR, J.

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