



CRP(PD)(MD)No.1245 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.1245 of 2022

C.Daniel

... Petitioner

Vs

The General Manager,,
Tamilnadu State Transport Corporation Limited,
Madurai-10.

... Respondent

Prayer: Petition filed under Article 227 of the Constitution of India, to to allow this civil revision petition by setting aside the fair and decreetal order passed in I.A.No.546 of 2019 in ID.No.16 of 2017 dated 28-12-2021, on the file of the Labour Court, Madurai and thus render justice.

For Petitioner : Mr.K.R.Manimaran,
For Respondent : No appearance

ORDER

The petitioner was working as a Conductor in the respondent Corporation from the year 1993. He suffered with certain



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ailments, due to which, he lost his vision in both of his eyes. Therefore, he has submitted a resignation letter on 11.10.2012. After giving resignation letter, the petitioner has filed a writ petition before this Court in WP(MD) No.7670 of 2013, seeking a direction to the respondent Corporation to provide an alternative employment with backwage from 01.11.2012. This Court has referred the petitioner to Aravind Eye Hospital for examination, by an interim order, dated 13.04.2013. The said writ petition was dismissed by this Court, considering the resignation letter submitted by this petitioner on 11.10.2012. Thereafter, the petitioner was relieved from service, by order, dated 02.05.2013. Challenging the same, the petitioner has raised Industrial Dispute in ID.No.16 of 2017, before the Labour Court, Madurai. On 06.03.2019, when ID.No.16 of 2017 was taken up for hearing, there was no representation for the petitioner and therefore, the Labour Court has dismissed the ID.No.16 of 2017 by order, dated 06.03.2019, by recording the observations made by this Court in WP(MD) No.7670 of 2013, dated 27.02.2018 that the claim of this



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petitioner for alternative employment does not arise, since the petitioner has already resigned his job on 11.10.2012. The petitioner has filed an application in IA No.546 of 2019 to condone the delay in filing the application to set aside the dismissal order in ID No. 16 of 2017, dated 06.03.2019 and the same was dismissed by the Labour Court on 28.12.2021. Challenging the same, the present civil revision petition is filed.

2.Today (19.08.2024), when this Civil Revision Petition is taken up for hearing, there is no representation for the respondent Corporation.

3.This Court has heard the learned counsel appearing for the petitioner and also perused the materials placed on record.

4.The petitioner has served as a Conductor in the respondent Corporation from the year 1993. Subsequently, he lost his



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vision and therefore, he has submitted his resignation letter on 11.10.2012 and it appears that thereafter, he has changed his thought and filed a writ petition, seeking a direction to the respondent Corporation to provide an alternative employment that he was forced to resign from the job. This Court, by interim order, dated 13.04.2013, directed this petitioner to appear before the Aravind Eye Hospital. However, it is not known whether the petitioner has appeared before the Aravind Eye Hospital or not and no report from the Hospital is placed before this Court. The writ petition was dismissed by this Court on 27.02.2018 considering the petitioner's resignation letter, dated 11.10.2012. In the meantime, I.D.No.16 of 2017 has been raised by this petitioner, before the Labour Court, Madurai, challenging the relieving order passed by the respondent Corporation on 02.05.2013 and also for an alternative employment, which was dismissed on 06.03.2019. Not stopping with that, the petitioner has filed an interlocutory application to set aside the order passed by the Labour Court, Madurai, that too, with a delay of 202 days and it was also dismissed.



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5.This Court is of the view that having given a resignation letter to the respondent Corporation due to his health issues and later claiming an alternative employment, by filing applications repeatedly before the different Forums is not fair on the part of the petitioner. No purpose would be served in entertaining this civil revision petition.

6.Accordingly, this Civil Revision Petition is dismissed.

No costs.

19.08.2024

Index : Yes / No.

Internet : Yes / No.

vrn

To

The General Manager,,
Tamilnadu State Transport Corporation Limited,
Madurai-10.



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B.PUGALENDHI, J.

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Order made in
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19.08.2024