



WP(MD) No.14160 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.14160 of 2024

M.Suresh Subramanian

... Petitioner

Vs.

1.The Transport Secretary to Government,
Transport Department,
Government of Tamil Nadu,
Fort St.George, Chennai – 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli.

3.Alagirisamy

4.M.Subramanian

5.N.P.Jegadeesan

6.G.Sudalaimani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondents to consider the petitioner's Union President's representation dated 05.06.2024 and de-promote the respondents 3 to 6 from 2nd respondent Transport Corporation.



WP(MD) No.14160 of 2024

For Petitioner : Mr.K.Guhan
For Respondents : Mr.S.Shanmugavel (R1)
Additional Government Pleader
Mr.D.Jebaraj (R2)
Mr.D.Sivaraman (R3 to R6)

ORDER

The petitioner has filed this Writ Petition seeking for a Writ of Mandamus directing the 1st and 2nd respondents to consider the petitioner's Union President's representation dated 05.06.2024 and de-promote the respondents 3 to 6 from the second respondent respondent Transport Corporation.

2. Heard Mr.K.Guhan, learned counsel for the petitioner S.Shanmugavel, learned Additional Government Pleader appearing for the first respondent, Mr.D.Jebaraj, learned counsel appearing for the second respondent and Mr.D.Sivaraman, learned counsel appearing for the respondents 3 to 6.



WP(MD) No.14160 of 2024

WEB COPY

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. When the matter is taken up for hearing, the learned counsel appearing for the respondents raised a preliminary objection as to the maintainability of the writ petition itself. They further submitted that the petitioner has not filed the writ petition to consider his representation, but filed this writ petition seeking for direction to the respondents to consider the representation of the Union and also to de-promote the private respondents from the second respondent Transport Corporation. The petitioner cannot file a writ petition on behalf of someone else's relief.

5. The learned counsel for the petitioner submitted that the petitioner was the Vice President of the Union and he is aware of the representation given by the Union. The petitioner's individual capacity is different from that of the office bearer of any



WP(MD) No.14160 of 2024

association. Even in this writ petition, the petitioner has not been described as office bearer of any association and he has filed this writ petition in his individual capacity.

6. No doubt the petitioner cannot seek the aforesaid relief on behalf of someone else. The petitioner ought to have filed the writ petition to canvass his own cause of action and not for the action taken by anyone else including Union. However, it is for the Official respondents to consider the representation, if any pending, on their own discretion.

7. With the above observations, this writ petition is disposed of. No costs.

01.07.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

sm



WP(MD) No.14160 of 2024

WEB COPY

To

- 1.The Transport Secretary to Government,
Transport Department,
Government of Tamil Nadu,
Fort St.George, Chennai – 600 009.



WEB COPY



WP(MD) No.14160 of 2024

R.N.MANJULA, J.

sm

Order made in
W.P.(MD)No.14160 of 2024

01.07.2024