



WEB COPY

W.P.No.16698 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.16698 of 2011

R.Mohan

...Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Salem),
Rep by its General Manager,
Salem – 636 007.

2.The Tamil Nadu State Transport Corporation,
Rep by its Managing Director,
Salem – 600 007.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the respondents in connection with the impugned orders passed by the first respondent in and by proceedings Pa.Mu.No.728-28564-D4-TNSTC-2010-2011 dated 22.08.2011 and quash the same and consequently direct the respondents to reinstate the petitioner in service and to consider the petitioner's plea to consider him for alternative appointment and regularize his service in a suitable post.



[Prayer amended as per order dated 22.11.2011 by MMSJ in M.P.No.3 of 2011 in W.P.No.16698 of 2011].

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For Petitioner : Mr.M.Ravi

For Respondents : Mr.M.Aswin
Standing Counsel

ORDER

This matter earlier came up for consideration a coordinate bench of this Court on 14.03.2025 and the learned Judge having taken note of the facts and circumstances of the case and also the order passed by another coordinate bench of this Court in W.P.No.5161 of 2015 dated 12.03.2025 has been pleased to pass the following order:-

“3.The learned Standing Counsel for the respondents submitted that the 1st respondent had filed an Approval Petition in A.P.No.315 of 2011 before the Special Deputy Commissioner of Labour, Chennai seeking to approve the proceedings dated 22.08.2011 in Pa.Mu.No.728-28564-D4-TNSTC-2010-2011. However, the Special Deputy Commissioner of Labour, Chennai vide order dated 28.05.2013, rejected the said Approval Petition. Aggrieved over the same, the 1st respondent had filed a W.P.No.5161 of 2015 before this Court, praying to quash the order dated 28.05.2013 in A.P.No.315 of 2011. The said writ petition was allowed on 12.03.2025. Therefore, in view of the order dated 12.03.2025 in W.P.No.5161 of 2015, the relief sought in the present writ petition has become infructuous.”

2. Today when the matter is taken up for consideration, the learned



counsel for the petitioner submitted that the petitioner is taking steps for seeking modification of the order dated 12.03.2025 passed in W.P.No.5161 of 2015.

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3. In view of the same and in the considered view of this Court, appropriate remedy, for the petitioner is to approach the concerned Labour Court and raise an Industrial dispute. In view of the same, this Writ Petition cannot be entertained. However, in case if the order dated 12.03.2025 in W.P.No.5161 of 2015 is modified or otherwise altered by this Court, it is open for the petitioner to seek reopen of this Writ Petition by filing an appropriate application.

4. Accordingly, this Writ Petition is closed. No costs.

14.07.2025

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To



W.P.No.16698 of



1.The General Manager,
The Tamil Nadu State Transport Corporation (Salem),
Salem – 636 007.

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2.The Managing Director,
Tamil Nadu State Transport Corporation,
Salem – 600 007.

MUMMINENI SUDHEER KUMAR, J.



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