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W.A.No.1765 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2025

CORAM:

**THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE K.SURENDER**

**W.A.No.1765 of 2025
and
C.M.P.No.13501 of 2025**

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
No.3/137, Salamedu, Valudhareddy Post,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Kancheepuram Regional Office,
Ponnerikkarai, Karapettai,
Chennai – Bangaluru Highwys,
Kancheepuram – 631 552.

... Appellants

Vs.

K.Manoharan

... Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 16.02.2024 made in W.P.No.3727 of 2024 and allow



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this Writ Appeal.

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For Appellants : Mr.T.Chandrasekaran

For Respondent : Mr.N.Ishak

J U D G M E N T

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

We need not go into the merits of this appeal in view of certain subsequent developments. The respondent who was promoted as a General Foreman vide order dated 17.03.2022 sought for a Mandamus directing the appellants to fix his basic pay and allowances in a particular scale of pay from the date of his promotion. The Writ Petition was allowed accepting the claim of the respondent.

2. However, after the order in the Writ Petition, the appellant/ Management issued a show cause notice seeking to withdraw the very promotion itself. The show cause notice itself was challenged in W.P.No.24265 of 2024. This Court while rejecting the challenge observed as follows:-

6. Taking into consideration the facts and circumstances of the case and also the relevant materials that



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have been placed before this Court and also the fact that the petitioner has submitted his explanation on 17.08.2024 to the second respondent, there shall be a direction to the second respondent to deal with the explanation submitted by the petitioner for the show cause notice, on its own merits and in accordance with law and take a decision within a period of six (6) weeks from the date of receipt of a copy of this order. If ultimately the respondents want to prosecute the writ appeal, they have to await for the orders in the writ appeal or on the alternative if the respondents do not want to prosecute the writ appeal, they can proceed to pass orders as directed by this Court.

3. Mr.T.Chandrasekaran, learned counsel appearing for the appellant would submit that pursuant to the liberty given under paragraph No.6 extracted supra, the Corporation had passed orders withdrawing the promotion granted to the respondent and the order of withdrawal is subject matter of challenge in W.P.No.39595 of 2024.

4. Therefore, the very basis on which the order was passed in W.P.No.3727 of 2024 no longer survives. Therefore, the order itself



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becomes redundant in view of the subsequent developments.

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5. Hence, this Writ Appeal is disposed of as having become infructuous. We make it clear that if the respondent workman succeeds in his challenge to the order withdrawing the promotion, he would be automatically entitled to the benefit of the order of the learned Single Judge made in W.P.No.3727 of 2024. No costs. Consequently, the connected miscellaneous petition is closed.

dsa

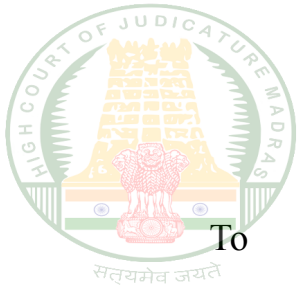
(R.S.M.,J.) (K.S.,J.)
18.06.2025

Index : No

Internet : Yes

Neutral Citation : No

Speaking order



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To

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R.SUBRAMANIAN, J.
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K.SURENDER, J.

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