



W.P.(MD)No.4757 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.4757 of 2025

C.Babu Rajan

... Petitioner

Vs.

1.The Managing Director,
State Express Transport Corporation Ltd.,
Pallavan Street,
Chennai-600 002.

2. The Senior Grade Deputy General Manager,
State Express Transport Corporation Ltd.,
Pallavan Street,
Chennai-600 002.

3. The Deputy General Manager (O&A),
State Express Transport Corporation Ltd.,
Pallavan Street, Chennai-600 002.

4. The Branch Manager,
State Express Transport Corporation Ltd.,
Kanyakumari Branch,
Kanyakumari-629 702,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining



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to the impugned order in letter No.330346/C1/SETC/2024, signed on 02.01.2025 on the file of the Respondent No.3 and quash the same as illegal to the extent of recovery of a sum of Rs.42,405/- without providing salary and without giving the dates of 11 days in which the excess payment was made and consequently to direct the Respondents to allow the petitioner to retire peacefully with effect from 31.05.2023 with notional promotion to the post of Checking Inspector and to provide all monetary benefits to the petitioner iwthi interest.

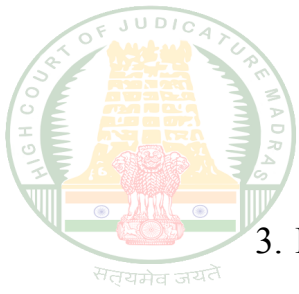
For Petitioner : Mr.S.Louis

For Respondents : Mr.S.C.Herold Singh
Standing Counsel

ORDER

Heard, the learned Counsel for the petitioner and the learned Standing Counsel for the respondents and perused the material available on record. On behalf of the respondents, counter affidavit has been filed.

2. The petitioner who worked as a Conductor in the respondent Transport Corporation filed this present writ petition against the order dated 02.01.2025, wherein, it is informed that considering the request to decide the disbursement of eligible retirement benefits, the petitioner has to pay the arrear amounts of Rs.42,405/-.

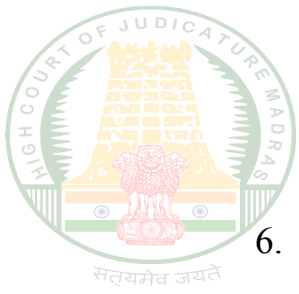


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3. During the course of hearing, the learned Standing Counsel appearing for the respondents submits that the order impugned in this writ petition has been withdrawn on 19.03.2025, to that effect, proceedings have been issued. In view of the same, no further adjudication is required in this case against the impugned order.

4. However, the learned Counsel for the petitioner submits that considering the request of the petitioner, the respondents should be directed to allow the petitioner to retire peacefully with effect from 31.05.2023, with notional promotion to the post of Checking Inspector and provide all monetary benefits to him and the respondents have to pass appropriate orders in accordance with law in the light of withdrawing the impugned order in this case.

5. Considering the request of the learned Counsel for the petitioner, in our considered view that without going into the merits of the case and in view of the fact that the impugned order has already been withdrawn, this writ petition can be disposed of.



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6. Accordingly, this writ petition is disposed of with the following

directions:

i) The respondents are directed to allow the petitioner to retire peacefully with effect from 31.05.2023, with notional promotion to the post of Checking Inspector and provide all monetary benefits to him and the respondents have to pass appropriate orders in accordance with law in the light of withdrawing the impugned order in this case.

ii) The petitioner is at liberty to submit representation, if he is having any further grievance over the order of the respondents. If, the petitioner submitted any representation, the respondents shall consider the same and take appropriate decision on the representation within a period of four weeks thereafter.

There shall be no order as to costs.

27.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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BATTU DEVANAND, J.

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