



W.P(MD)No.5447 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P(MD)No.5447 of 2025
and
W.M.P.(MD)Nos.6160 and 6161 of 2025

S.Kannan

... Petitioner

Vs.

The Tamilnadu State Transport
Corporation (Kumbakonam) Limited,
Rep. by its Managing Director,
Kumbakonam.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to forthwith provide duty to the petitioner in the post of Driver together with back wages payable from 11.05.2024 by considering representation dated 09.12.2024.

For Petitioner : Ms.R.Hema Bharathi

For Respondent : Mr.K.Ramaiah,
Standing Counsel.

ORDER

Heard the learned counsel for the petitioner, the learned standing counsel for the respondent and perused the materials available on record.



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2.The petitioner is working as Driver in the respondent corporation. He was convicted and sentenced to undergo simple imprisonment for a period of two years and pay compensation amount of Rs.5,00,000/- (Rupees Five Lakhs Only) under Section 138 of the Negotiable Instruments Act, by the learned Judicial Magistrate, Thiruthuraipoondi in S.T.C.No.6 of 2019 on 22.11.2023. Against the said judgment, the petitioner filed C.A.No.46 of 2024 on the file of the Principal Sessions Court, Thiruvarur. The petitioner was granted bail on 03.12.2024 in M.P.No.3 of 2024 in C.A.No.46 of 2024 on condition that the petitioner should deposit 20% of the compensation amount. The contention of the learned counsel for the petitioner is that pursuant to the said order of the learned Sessions Judge, the petitioner was not allowed to attend duty.

3.In the counter affidavit filed by the respondent, it is stated that a charge memo dated 14.04.2024 was issued to the petitioner. But the petitioner did not submit any explanation till date. The respondent has instructed the petitioner orally to submit an unconditional apology letter



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to provide duty and to conduct proper enquiry against the petitioner. So far, the petitioner did not comply with the same. In view of the same, he sought dismissal of the writ petition.

4.It appears from the records that the petitioner has not placed true facts neither before this Court nor before the respondent corporation. The charge levelled against the petitioner is that he has not informed the respondent corporation about the criminal case and the conviction imposed on him. In the affidavit filed along with the writ petition also, true facts are not narrated by the petitioner. It appears that the petitioner has approached this Court with unclean hands. Accordingly, the petitioner is not entitled to the relief as sought for in the writ petition. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

04.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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BATTU DEVANAND, J.

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