



W.A.(MD)No.612 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.03.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.A.(MD)No.612 of 2025
and
C.M.P.(MD)No.4541 of 2025

The Managing Director,
State Express Transport Corporation Tamil Nadu Ltd.,
Pallavan Salai,
Chennai-600 002.

...Appellant

-Vs-

1.K.V.Hariharan

2.The Additional Chief Secretary to Transport Department,
Secretariat, Fort St.George,
Chennai-600 009.

3.The Under Secretary to Government,
Transport Department,
Secretariat, Fort St.George,
Chennai-600 009.

...Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent Act, to set aside the order of this Court made in W.P.(MD)No.17045 of 2021 dated 05.06.2024.

For Appellant
For R2 & R3

: Mr.SC.Herold Singh
: Mr.S.S.Madhavan
Additional Government Pleader



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JUDGMENT

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(Judgment of the Court was made by **S.SRIMATHY, J.**)

This intra-Court Appeal is filed against the order of this Court dated 05.06.2024 in W.P.(MD)No.17045 of 2021.

2.The third respondent in the writ petition is the appellant herein. The writ petitioner is a casual labour under the third respondent. His representation seeking regularization on par with his co-worker was rejected. Challenging the same, the writ petitioner filed the writ petition. The learned Single Judge considering the fact that the co-worker of the writ petitioner has been conferred with the benefit of regularization, set aside the order rejecting the representation of the petitioner and remanded the matter back to the authorities concerned to grant regularization.

3.The learned counsel for the appellant submits that there is a positive direction to regularize the petitioner's service on par with his junior, namely M.Dayalan. To that extent alone, the appellant corporation seeks modification of the order passed by the learned Single Judge.



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4.This Court is of the view that the positive direction to the appellant corporation to regularize the service of the petitioner would not be justifiable. Therefore, we direct the appellant to consider the representation of the petitioner afresh by taking into consideration of all the relevant factors and to pass orders in accordance with law. The order of the learned Single Judge is modified only to the extent stated above.

5.With the above modification, this writ appeal is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(J.N.B.,J.) (S.S.Y.,J.)
20.03.2025

Index : Yes/No
Internet : Yes/No
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To

- 1.The Additional Chief Secretary to Transport Department,
Secretariat, Fort St.George, Chennai-600 009.
- 2.The Under Secretary to Government,
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