



WEB COPY

WP No. 12040 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 12040 of 2026

and

WMP.Nos.13139 & 13140/2026

K.Vinayagamurthy
S/o. Kuppusamy,
No. 37 Pattai Street,
Vadhanur post,
Puducherry 605 501

..Petitioner(s)

Vs

1. The Managing Director
Puducherry Road Transport corporation,
No. 4 Ayyanar Koil Street,
Raja Nagar,
Puducherry 605 013
2. The General Manager (Administration)
Puducherry Road Transport corporation Ltd.,
Raja Nagar,
Puducherry 605 013

..Respondent(s)

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus, calling for the records pertaining to the impugned termination order No. 99/ PRTC/ PBS/ 2023- 24/ 408 dated 28.06.2023 on the file of the 2nd respondent and quash the same as illegal, arbitrary per contra to the statutory provisions and violative of principle of natural justice and consequently direct the 2nd respondent to reinstate petitioner into the service with all benefits.

For Petitioner(s):

S.Lakshmi Narayanan
N.S.Elamugilan
M.Dinesh Sharma
K.Aishwarya

For Respondent(s):

Mr.R.Sreedhar, AGP [Puducherry]



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ORDER

- (1) Challenging the order of Termination dated 28.06.2023, the petitioner is before this Court, seeking to quash the said order, and to direct the 2nd respondent, to reinstate him back in service.
- (2) It is the contention of the petitioner that he had been appointed as a Conductor on contract basis vide order dated 14.09.2015. He had been working diligently in the respondent Corporation till the year 2023. The petitioner would submit that he is the only son of a mother, who is suffering a permanent orthopaedic disability. He would further submit that in the month of November, 2022, on account of a severe illness of his mother, he had to take leave for taking care of her. It is his further contention that he had taken leave after due intimation to the Duty Controller of the respondent Corporation. Thereafter, on 03.03.2023, he had submitted a letter to the 2nd respondent, assigning reasons for his absence from duty and requested that he may be assigned with work. However, the petitioner was slapped with the Termination Order on 28.06.2023, from the 2nd respondent. Challenging the same, the petitioner is before this Court. He is also aggrieved by the fact that his representation seeking reconsideration of the Termination Order, has also been not taken note of.



- (3) Heard both sides and perused the materials placed on record.
- (4) The challenge to the impugned order is on the ground that the same has been passed without following the principles of natural justice inasmuch as the petitioner had not been issued with a show cause notice nor was he afforded with an opportunity to put forth his grievance.
- (5) Mr.R.Sreedhar, learned Additional Government Pleader [Puducherry] appearing for the respondents would submit that the petitioner was a contract employee and as per the terms of the Contract Agreement along with the Standing Orders, his unauthorised absence from duty amounts to an abandonment and therefore, he had been terminated with immediate effect. He would submit that if the petitioner is aggrieved, his remedy is available before the Labour Court and not by filing a writ petition before this Court.
- (6) Heard the rival submissions and perused the materials placed on record.
- (7) Admittedly, the petitioner has been appointed as a Contract Labourer, by an order dated 14.09.2015 on a fixed monthly remuneration. The terms of the contract clearly states that the appointment does not automatically confer him a regular appointment. The terms of the contract further states that any insubordination, misbehaviour or misconduct, would entail immediate dismissal. The petitioner has also signed the contract of employment and subsequently, on 21.09.2016, he was engaged for a period of four months on the very same terms. The petitioner has himself



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admitted in his representation that he had not informed the administration about his leave of absence. He had taken leave from 15.11.2022 till 02.03.2023. It is only on 03.03.2023, that the petitioner had sought reinstatement. That apart, the petitioner has an alternate remedy and without exhausting the same, the petitioner has approached this Court. Hence, the writ petition is not maintainable.

- (8) Accordingly, the writ petition is dismissed. However, the petitioner is granted liberty to approach the appropriate Forum for redressal, if so advised. No costs. Consequently, the connected miscellaneous petitions are closed.

02-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

AP

To

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P.T.ASHA, J.

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