



WP.(MD)Nos.2406 to 2411 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.01.2026

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)Nos.2406 to 2411 of 2024

and

W.M.P.(MD) Nos.2414, 2416 to 2425, 2454 of 2024

M.Manivannan	... Petitioner in W.P.(MD) No.2406 of 2024
S.Manivannan	... Petitioner in W.P.(MD) No.2407 of 2024
O.Jeyakodi	... Petitioner in W.P.(MD) No.2408 of 2024
S.Sendraya Perumal	... Petitioner in W.P.(MD) No.2409 of 2024
M.Vigneshwaran	... Petitioner in W.P.(MD) No.2410 of 2024
M.Asaithambi	... Petitioner in W.P.(MD) No.2411 of 2024

Vs.

1.The Tamil Nadu State Transport Corporation
(Madurai) Ltd.,



WP.(MD)Nos.2406 to 2411 of 2024

rep. by its Managing Director
Bye-pass Road
Madurai - 625 016.

... R1 in all W.Ps

2. The General Manager
Tamil Nadu State Transport Corporation
(Dindigul) Ltd.,
Dindigul.

... R2 in W.P.(MD)
Nos.2406, 2407, 2409 & 2411
of 2024

3. The Branch Manager
Dindigul Branch 1
Tamil Nadu State Transport Corporation
(Dindigul) Ltd.,
Dindigul.

4.The Branch Manager
Lower Camp Branch
Theni.

... R3 & R4 in W.P.(MD)
No.2406 of 2024

3. The Branch Manager
Theni Branch
Tamil Nadu State Transport Corporation
(Theni) Ltd.,
Theni.

... R3 in W.P.(MD)
Nos.2407, 2409 & 2411
of 2024

4.The Branch Manager
Naththam Branch
Dindigul.

... R4 in W.P.(MD)
No.2407 of 2024



WP.(MD)Nos.2406 to 2411 of 2024

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2. The General Manager
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(Madurai) Ltd.,
Bye-pass Road
Madurai - 625 016.

3. The Branch Manager
Moffusil Branch
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Bye-pass Road
Madurai - 625 016.

... R2 & R3 in W.P.(MD)
Nos.2408 & 2410 of 2024

4. The General Manager
Thirumangalam Branch
Madurai.

... R4 in W.P.(MD)
No.2408 of 2024

4. The Branch Manager
Palani Branch
Dindigul.

... R4 in W.P.(MD) No.2409
of 2024

4. The General Manager
Checkanurani Branch
Madurai.

... R4 in W.P.(MD) No.2410
of 2024

4. The Branch Manager
Ottanchathiram Branch
Dindigul.

... R4 in W.P.(MD) No.2411
of 2024

Prayer in W.P.(MD) No.2406 of 2024: Writ Petition filed under



Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order in proceedings No.Admn/P2/303-1 dated 16.01.2024 passed by the second respondent and the relieving order dated 22.01.2024 passed by the third respondent, quash the same and consequently, direct the respondents to retain and allow the petitioner to continue to service in Dindigul Branch 1 depot.

Prayer in W.P.(MD) No.2407 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order in proceedings No.Admn/P2/303-9 dated 16.01.2024 passed by the second respondent and the relieving order dated 24.01.2024 passed by the third respondent, quash the same and consequently, direct the respondents to retain and allow the petitioner to continue to service in Theni depot.

Prayer in W.P.(MD) No.2408 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order in proceedings No.Admn/A3/11617/2023 dated 18.01.2024 passed by the second respondent and the relieving order dated 23.01.2024 passed by the third respondent, quash the same and consequently, direct the respondents to retain and allow



the petitioner to continue to service in Madurai Moffusil depot.

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Prayer in W.P.(MD) No.2409 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order in proceedings No.Admn/P2/276-1 dated 22.12.2023 passed by the second respondent and the relieving order dated 24.01.2024 passed by the third respondent, quash the same and consequently, direct the respondents to retain and allow the petitioner to continue to service in Theni depot.

Prayer in W.P.(MD) No.2410 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order in proceedings No.Admn/A3/14473/2023 dated 18.01.2024 passed by the second respondent and the relieving order dated 23.01.2024 passed by the third respondent, quash the same and consequently, direct the respondents to retain and allow the petitioner to continue to service in Madurai Moffusil depot.

Prayer in W.P.(MD) No.2411 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order in proceedings No.Admn/P2/303-7 dated 16.01.2024



WP.(MD)Nos.2406 to 2411 of 2024

passed by the second respondent and the relieving order dated 24.01.2024 passed by the third respondent, quash the same and consequently, direct the respondents to retain and allow the petitioner to continue to service in Theni depot.

For Petitioner : Mr.Aayiram K.Selvakumar
(in all W.Ps)

For Respondents : Mr.K.Ramaiah
(in all W.Ps) Standing Counsel

COMMON ORDER

The petitioners are working as Driver in the respondent Transport Corporation. They have participated in the strike called for by their union on 09.01.2024 for certain demands. A settlement was arrived between the management and the workers and therefore, no penal action was initiated as against the petitioners, who have participated in the strike on 09.01.2024. However, they have been transferred by the orders impugned in these writ petitions. Alleging that the orders of transfer are in the form of punitive in nature, the petitioners have approached this Court.



WP.(MD)Nos.2406 to 2411 of 2024

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2.The learned counsel appearing for the petitioners submits that the petitioners belong to Anna Thozhirsangam Peravai, which is affiliated by AIADMK and therefore, they have been targeted and they have been transferred in the form of punitive nature, for their participation in the strike on 09.01.2024. The learned counsel for the petitioner has also referred to the judgment of this Court in WP.No.1493 of 2024 filed as against the similar transfer order, wherein this Court its order dated 09.12.2025 set aside the order of transfer on the ground that the power available for transfer from one place to another place is available only in terms Certified Standing Order No.28 and the same is deleted in Standing Order Appeal No.4 of 1995 dated 01.04.2022 by the Principal Labour Court, Chennai. Therefore, the learned counsel for the petitioners attacked the order of transfer that it has been passed without any authority and the same is in punitive in nature.



3.The learned Standing Counsel appearing for the respondents submits that the petitioners have participated in the strike proposed by a trade union and have stopped the vehicle without completing the entire trip. Hence, disciplinary proceedings was initiated as against the petitioners and charge memo was also issued. Learned Standing Counsel by relying on the judgment of the Hon'ble Supreme Court in National Hydroelectric Power Corporation Ltd. Vs. Shri Bhagwan and another reported in (2001) 8 SCC, submits that an employee of a public undertaking has no legal right to stay in the same place or in the place of his choice.

4.This Court paid its anxious consideration to the rival submissions made and also perused the materials placed on record.

5.The petitioners, who belong to Anna Thozhirsangam Peravai, have been transferred by the order impugned in these



writ petitions. The petitioners have challenged the order of transfer that it is punitive in nature for their participation in the strike on 09.01.2024. This averment has not been denied by the respondents and admitted in the counter affidavit filed by them. In a similar writ petition in WP.No.1493 of 2024, this Court, by an order dated 09.12.2025, has set aside the transfer order holding that the power available for transfer from one place to another place is available only in terms Certified Standing Order No.28 and the same is deleted in Standing Order Appeal No.4 of 1995 dated 01.04.2022 by the Principal Labour Court, Chennai. The relevant portion is extracted as under:-

6. The facts of the present case is not in dispute. Admittedly, the petitioner is employed as a Conductor in Dharapuram depot. According to the petitioner, for participation of the strike, he was transferred from Dharapuram to Tiruppur. However, the power available for transfer from one place to another place is available only in terms Certified Standing Order No.28 and the same is deleted in Standing Order Appeal No.4 of 1995



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WP.(MD)Nos.2406 to 2411 of 2024

*dated 01.04.2022 on the file Principal Labour Court,
Chennai.*

7.In view of the deletion and further there is a similar order passed in W.A.No.2751 of 2025, this Writ Petition is allowed and the impugned orders are set aside. However, liberty is granted to the respondents to proceed the matter in accordance with law, if the certified standing order is restored. No costs. Consequently, connected miscellaneous petition is closed.

7.In view of the above, the orders impugned in these writ petitions are set aside and this writ petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

28.01.2026

NCC : Yes/No
Index : Yes/No
Internet:Yes
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