

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

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THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.39879 of 2015

T.Aarumugam

.. Petitioner

Vs.

The Managing Director
Madras Transport Corporation (MTC) Chennai Ltd.,
Pallavan House,
Anna Salai, Chennai-2.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to dispose the petitioner representation dated 11.11.2015 pending on the file of the respondent in accordance with law.

For Petitioner : M/s.A.Kavimani

For respondent : M/s.P.Kannan Kumar.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.According to the petitioner, while he was in service he met with an accident on 05.05.1997 and taken leave for 29 days and subsequently, got injured due to the rival attack by the Union staff on 04.07.1997 and taken leave for about 36 days totally 65days. The petitioner approached the Labour Court for payment of salary during the leave period, the labour court allowed by the petition in favour of the petitioner. Aggrieved over the same, the respondent approached this Court by way of Writ petition in WP.No.18223 of 2011, this court confirmed the order of Labour Court. The petitioner voluntarily retired from service on 30.09.1997 through Voluntary Retirement Scheme. As per GO.Ms.No.378, he is entitled for the leave period 65 days as working days for the pensionary benefits. The petitioner also made a representation dated 11.11.2015 to the respondent. Since it was not consider so far, the petitioner filed the present writ petition.

3.Heard the submissions of Mr.A.Kavimani, learned counsel appearing for the petitioner and M/s.P.Kannan Kumar learned counsel who accepts notice on behalf of the respondent.

4.This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the respondent to consider the representations of the petitioner dated 11.11.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

The Managing Director
Madras Transport Corporation (MTC) Chennai Ltd.,
Pallavan House,
Anna Salai, Chennai-2.

1 cc to Mr.P. Kannankumar, Advocate, Sr. 69143

1 cc to Mr. Kavimani, Advocate, Sr. 68501

W.P.No.39879 of 2015

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