



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.14080 of 2015

Ravi

... Petitioner

Vs.

The District Manager,
TASMAC,
Nagercoil,
Kanniyakumari District.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus directing the respondent to permit the petitioner to join duty as salesman in Shop No.4736, Konam, Nagercoil by considering the petitioner's representation dated 02.01.2015 within stipulated time as may be fixed by this Court.

For Petitioner ... Mr.T.A.Ebenezer

For Respondent ... Mr.Munusamy

O R D E R

This Writ Petition has been filed by Ravi for issuance of Writ of Mandamus directing the respondent to permit the petitioner to join duty as a Salesman in Shop No.4736, Koname, Nagercoil by considering the petitioner's representation dated 02.01.2015 within stipulated time as may be fixed by this Court.

2.By consent, this writ petition is taken up for final disposal at the stage of admission itself.

3.Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for TASMAC.

4.Mr.T.A.Ebenezer, learned counsel for the petitioner submitted that the petitioner was appointed as a Salesman in TASMAC on contract basis on 11.08.2013 and he was working till 12.04.2008 without any black mark and the petitioner fell in sickness and thereupon he suffered with paralytic attack and since his body was completely paralyzed, the petitioner was unable to attend his duties. He would further submit that after taking regular treatment, fitness certificate has been issued on 31.12.2014 and the petitioner met the respondent in person along with all documents including fitness certificate and the representation dated 02.01.2015 and the petitioner requested permission to join duty in the shop No.4736 in which, he was working earlier. The respondent- the District Manager, TASMAC, Nagercoil, received the representation of the petitioner, but, till date the respondent has not passed any order and hence, the present writ petition has been filed by the petitioner before this Court.



5. This Court carefully considered the submissions and perused the records.

6. This Court does not find any justification in this Writ Petition for the reason that though the petitioner claims to have suffered paralytic attack for about 6 long years, the petitioner has not even produced one medical document with regard to the said disease before this Court. Further, no medical bill as a part of the documents has been produced to prove that the petitioner had consumed drugs. Finding no merits in this Writ Petition, the same fails.

7. In the result, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

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To

The District Manager,
TASMAC,
Nagercoil,
Kanniyakumari District.

+1cc to MR.T.A.EBENEZER, Advocate Sr.No 44752

JAM/MPA-DP/SAR-II/1.9.15/2P-3C

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