

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.3040 of 2016 &
W.M.P.Nos.2500 & 2501 of 2016

K.Murali .. Petitioner
Vs.

- 1.The Managing Director,
Metropolitan Transport Corporation,
Pallavan House, Pallavan Salai,
Chennai - 600 002.
- 2.The Senior Deputy Manager,
Metropolitan Transport Corporation,
Pallavan House, Pallavan Salai,
Chennai - 600 002.
- 3.The Branch Manager,
Tondiarpet II Depot,
Metropolitan Transport Corporation,
Chennai - 600 081. ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records and quash the relieving order No.84/TDII/MTC/2016 dated 19.01.2016 r/w with transfer order No.1013/PS(T)3/MTC/2015 dated 13.11.2015 issued by the third and second respondent and consequently direct the respondents to provide employment within the Tondiarpet II Depot or neighbouring areas where lift services are available from the residence of the petitioner at Vysarpadi and where he will be placed in the regular duty chart.

For Petitioner : Dr.V.Suresh

For Respondents : Mr.P.Paramasivadoss

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.Heard the submissions of Dr.V.Suresh, learned counsel appearing for the petitioner and Mr.P.Paramasivadosh, learned Standing Counsel, who accepts notice on behalf of the respondents.

3.The case of the petitioner is that he is the President of MTC unit of the Netaji Transport Workers Union from the year 2015 and he had been consistently taking up the service and related issues concerning the members and the problems faced by the members. He would further state that he was suspended from service on 03.09.2015 for the events allegedly occurred on 31.08.2015. His suspension order was revoked on 23.09.2015 and he joined the duty on 26.09.2015. Again he was suspended on 29.09.2015 for the alleged misbehaviour occurred on 01.09.2015. The suspension order was revoked and the petitioner joined the duty on 14.11.2015. While so, the petitioner was transferred from Tondiarpet II Depot to Chrompet.

4.Learned counsel for the petitioner submitted that the petitioner had given representations dated 15.12.2015, 17.12.2015, 21.12.2015, 29.12.2015 and 21.01.2016 expressing his difficulties to work at Chrompet Depot and the representations can be considered by the respondents sympathetically.

5.Learned Standing Counsel appearing for the respondents would submit that the second respondent will consider the representations of the petitioner for posting him in the nearest Depot.

6.In view of the submissions on either side, this Writ Petition is disposed of, by directing the second respondent to consider the representation of the petitioner dated 21.01.2016 and pass orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

7.The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

sri

To

1.The Managing Director,
Metropolitan Transport Corporation,
Pallavan House, Pallavan Salai,
Chennai - 600 002.

2.The Senior Deputy Manager,
Metropolitan Transport Corporation,
Pallavan House, Pallavan Salai,
Chennai - 600 002.

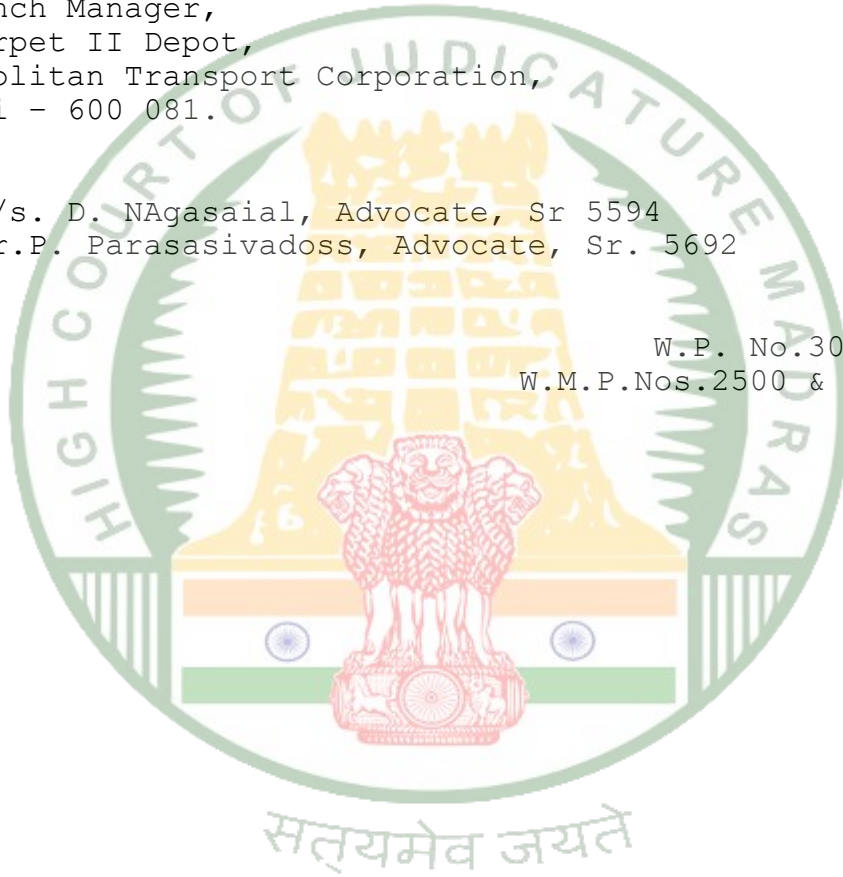
3.The Branch Manager,
Tondiarpet II Depot,
Metropolitan Transport Corporation,
Chennai - 600 081.

1 cc to M/s. D. NAgasaial, Advocate, Sr 5594

1 cc to Mr.P. Parasasivadoss, Advocate, Sr. 5692

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