

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.42604/2016

K.Ganesan

.. Petitioner

Vs.

1. State of Tamil Nadu.rep.by
The Secretary
Department of Transport
Secretariat Building
Fort St.George, Chennai 600 009.

2.The Managing Director
TNSTC [CBE] Limited,
37, Mettupalayam Road
Coimbatore 641043.

3.The Branch Manager
TNSTC, Sathyamangalam
Covai Main Road,
Sathyamangalam.

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to reinstate the petitioner into the service as per rules.

For Petitioner : Mr.R.Vijayan
For R1 : Mr.O.Selvam, GA
For RR2&3 : Mr.P.Kannankumar

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner, in the affidavit filed in support of this writ petition, would aver among other things, he got registered in the Employment Exchange at Erode in the year 1990 in Seniority No.129/1990 and it was transferred to Coimbatore Employment Exchange and registered on 14.12.1992. The petitioner, initially, was sponsored by the Coimbatore District Employment Exchange for the post of Conductor in the services of the Tamil Nadu State Transport Corporation [CBE] Limited [respondents 2 and 3 herein] on 22.09.2005 and he was not selected and however, accommodated in a temporary capacity in Sathyamangalam branch during the year 2006-2007. The claim of the petitioner is that in the light of the fact that he has rendered temporary service as a conductor during the year 2006-2007 and further that his seniority is well above the already selected candidates, he should be permanently accommodated in the services of the State Transport Corporation and in this regard, he has submitted a representation in the form of Lawyer's Notice dated 21.09.2016 to the respondents and in spite of the receipt and acknowledgment, he is yet to be responded with any kind of orders and hence, the petitioner came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner ; Mr.O.Selvam, learned Government Advocate who accepts notice on behalf of the 1st respondent and Mr.P.Kannan Kumar, learned counsel who accepts notice on behalf of the respondents 2 and 3.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in this writ petition or in the Lawyer's Notice dated 21.09.2016, directs the 2nd respondent to consider and dispose of the petitioner's representation in the form of Lawyer's Notice dated 21.09.2016 on merits and in accordance with law and pass orders 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 stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Secretary
State of Tamil Nadu
Department of Transport
Secretariat Building
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3.The Branch Manager
TNSTC, Sathyamangalam
Covai Main Road,
Sathyamangalam.

+1cc to Mr.R. Vijayan, Advocate, S.R.No.71549
+1cc to the Government Pleader, S.R.No.72059

sk(CO)
md(30/12/2016)

WP.No.42604/2016

सत्यमेव जयते

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