



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2016

C O R A M

WEB COPY

THE HONOURABLE DR.JUSTICE **S.VIMALA**

Writ Petition (MD) No.19573 of 2016

Tamilselvan

.. Petitioner

Vs.

1.The State of Tamilnadu,  
Rep. by its Secretary to Government,  
Transport Department,  
Fort St.George, Chennai - 9.

2.The General Manager,  
Tamil Nadu State Transport Corporation  
(Madurai) Ltd.,  
Tirunelveli Region,  
Tirunelveli.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.07.2016 with stipulated time and to regularize the petitioners service from on 19.08.2010 onwards and consequently direct the respondents to provide seniority back wages to that effect.

For petitioner ... Mr.S.Krishnan

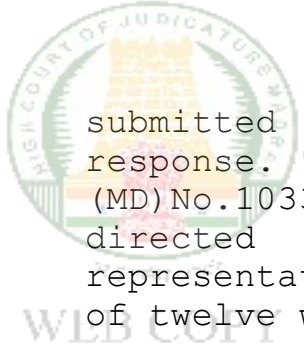
For Respondents ... Mr.K.Sathiyasingh

### O R D E R

This is a writ of Mandamus seeking direction to the respondents to consider the petitioner's representation dated 21.07.2016 and to regularize his service from 19.08.2010 and consequently direct the respondents to provide seniority back wages to that effect.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3.The name of the petitioner was sponsored by the District Employment Exchange for the post of Conductor and he was accordingly appointed as Conductor on 19.08.2010. Though he had completed 240 days of continuous service in a period of less than two calendar years, his service was not regularised. Hence, he has



submitted a representation dated 15.05.2012 and there was no response. Therefore, the petitioner filed a writ petition in W.P. (MD) No.1033 of 2014, and by the order dated 23.01.2014, this Court directed the second respondent therein to consider the representation of the petitioner dated 15.05.2012, within a period of twelve weeks from the date of receipt of a copy of the order.

4. Accordingly, the petitioner made a representation and communicated the order of this Court on 06.02.2014. On the said representation, the respondents have passed an order regularising the service of the petitioner from 31.01.2015 instead of regularising the service from 19.08.2010. Therefore, even though there is a technical compliance of the order on merits, it is not a compliance at all.

5. Expressing the grievance that five years of service has been not considered by the respondents, the petitioner has given a representation dated 21.07.2016 to the respondents.

6. The learned counsel for the respondent would submit that it is agreeable for the respondents to consider the representation of the petitioner, dated 21.07.2016 and to pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

7. Recording the submission of the learned counsel for the respondents, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar

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To

1. The Secretary to Government,  
Transport Department,  
Fort St. George, Chennai - 9.

2. The General Manager,  
Tamil Nadu State Transport Corporation  
(Madurai) Ltd.,  
Tirunelveli Region, Tirunelveli.

+1cc to Mr.K.Sathiyasingh      Advocate Sr.No. 60459  
+1cc to Mr.S.Krishnan          Advocate Sr.No. 60693

JAM/04.11.16/DB /2p-5c