



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2016

CORAM:

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THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.20490 of 2016

A.A.Joseph : Petitioner

Vs.

The Administrative Director,
Tamil Nadu State Transport Corporation,
Dindigul Circle, Dindigul District. : Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated on 21.09.2016.

For Petitioner : Mr.S.Gopalamanikandan

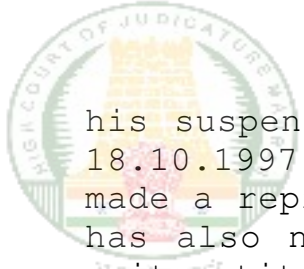
For Respondent : Mr.A.P.Muthupandian

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated on 21.09.2016.

2.Heard the learned counsel appearing for the petitioner and the learned counsel, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.The case of the petitioner is that the petitioner was working as conductor in the respondent Transport Corporation from 30.06.1989. On 18.10.1997, while he was on duty in the bus bearing Registration No.TN-57-N-0479, due to the rash and negligent driving of the driver of the bus, an accident was occurred and he sustained grievous injuries and he was taking treatment. When he was taking treatment at Meenakshi Mission Hospital, Madurai, the respondent issued suspension notice on 21.06.2000. He filed a claim petition in W.C.No.270 of 2005 before the Commissioner, Workmen Compensation Tribunal, Dindigul claiming compensation in respect of the injuries sustained the accident and an award had been passed for a sum of Rs.83,982/- on 03.08.2007. Thereafter, he approached the respondent to revoke



his suspension and claimed balance salary and other benefits from 18.10.1997. Since the respondent has not considered his claim, he made a representation on 21.09.2016 to the respondent and the same has also not been considered by the respondent. Therefore, this writ petition has been filed.

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4.The learned counsel for the petitioner would submit that the petitioner was on leave, only on account of unavoidable circumstances and having regard to his past services and injuries sustained during the accident, his representation dated 21.09.2016, must be considered by the respondent sympathetically.

5.The learned counsel for the respondent would submit that it is agreeable for the respondents to consider the representation of the petitioner and to pass appropriate orders.

6.Recording the submission made by the learned counsel for the respondent, the respondent is directed to consider the representation of the petitioner dated 21.09.2016 and pass orders on merits and in accordance with law, within a period of ten days, from the date of receipt of a copy of this order, as the petitioner is superannuating during the end of this month.

7.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

smn

To

The Administrative Director,
Tamil Nadu State Transport Corporation,
Dindigul Circle, Dindigul District.

+1CC to Mr.S.Gopalamanikandan, Advocate Sr.No.64069

GJM/EM/MPA/SAR-W-2.11.6-2p-3c

ORDER MADE IN
W.P(MD)No.20490 of 2016
26.10.2016