

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4628/2017

S.Harikrishnan

.. Petitioner

Vs

1.The Managing Director
Tamil Nadu State Transport
Corporation Ltd.,
Villupuram District.

2.The General Manager
Tamil Nadu State Transport
Corporation (Villupuram),
Kancheepuram Region,
Ponnerikarai, Kancheepuram.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent's to settle all the eligible terminal benefits due to the petitioner at an early date.

For Petitioner : M/s.Vijaya and Anandh
For Respondents : Mr.P.Kannan Kumar

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.Kannan Kumar, learned counsel accepts notice on behalf of the respondents.

2. The petitioner, while working as Secondary Grade Assistant in the services of the respondent / Corporation, was visited with disciplinary proceedings and was issued with a charge memo on the ground that he has abandoned the service for a period of eight days from 21.11.2011 and after enquiry, charges framed against the petitioner were held to be proved and thereafter, the respondent / Management filed a petition for approval before the Deputy Commissioner of Labour, Chennai-6, in AP.No.326/2013 u/s.33[2][b] of the Industrial Disputes Act, 1947, and the said Approval Petition was rejected on 04.04.2016.

3. The learned counsel for the petitioner would submit that in the light of the rejection of the Approval Petition, the petitioner is entitled to all consequential benefits and in this regard, the petitioner has also submitted a representation dated 29.07.2016 to the respondent / Management and though it was received and acknowledged, so far no orders have been passed and therefore, the petitioner came forward to file the present writ petition.

4. Per contra, Mr.P.Kannan Kumar, learned Standing Counsel appearing for the respondents would submit that challenging the rejection of the Approval Order, the respondents are going to file a writ petition.

5. The Court heard the rival submissions and also perused the materials placed before it.

6. 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, directs the respondents 1 and 2, to consider and dispose of the petitioner's representation dated 29.07.2016 on merits and in accordance with law and pass appropriate 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.

7. The writ petition stands disposed of with the above direction. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Managing Director
Tamil Nadu State Transport
Corporation Ltd.,
Villupuram District.
- 2.The General Manager
Tamil Nadu State Transport
Corporation (Villupuram),
Kancheepuram Region,
Ponnerikarai,
Kancheepuram.

+1cc to Mr. Kannan Kumar Advocate SR. 12701
+1cc to M/S. Vijaya, Advocate SR. 11686

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MG (CO)

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