



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.03.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.3793 of 2014 and
M.P. (MD)No.1 of 2014

S.David Raja

..Petitioner

Vs.

- 1.The Management of State Express
Transport Corporation (Tamil Nadu) Ltd,
Rep.by its Managing Director,
Pallavan Salai, Chennai - 600 002.
 - 2.The General Manager,
The State Express Transport Corporation(Tamil Nadu)Ltd,
Pallavan Salai, Chennai - 600 002.
 - 3.The Branch Manager,
The State Express Transport Corporation(Tamil Nadu)Ltd,
Thoothukudi Branch, Thoothukudi.
 - 4.Mr.Srinivasan, The Branch Manager,
The State Express Transport Corporation(Tamil Nadu)Ltd,
Thoothukudi Branch, Thoothukudi.
- .. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to permit the petitioner to join duty in the post of Driver cum Conductor, at Thoothukudi Branch of the 1st respondent Corporation and to further directing the respondents to pay wages to the petitioner in the post of driver with effect from 12.01.2014 to till date of providing duty to the petitioner.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Sathiya Singh
Standing Counsel for T.N.S.T.C.,

ORDER

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to join duty in the post of Driver cum Conductor at Thoothukudi Branch of the first respondent



Corporation and to further direct the respondents to pay wages to the petitioner in the post of driver with effect from 12.01.2014 to till date of providing duty to the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

3. The grievance of the petitioner is that the petitioner was not allotted work for a period between 12.01.2014 and 20.01.2014. However, the learned counsel for the petitioner now admit that the petitioner has been provided work after the filing of the Writ petition. However, still the petitioner has a grievance that he has not been given salary for the period during which he was prevented from attending work. The petitioner has already given a representation on 01.02.2014.

4. Considering the nature of the case in the present Writ petition and limited scope of the request of the learned counsel for the Writ petitioner, without expressing any opinion on the merits of the matter, this Court is inclined to issue the following direction:-

"The petitioner shall submit a fresh representation to the second respondent within a period of two weeks from today and on such representation, the second respondent is directed to consider and pass appropriate 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."

5. Accordingly, the Writ petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(C)

/True copy/

Sub Assistant Registrar

To

1.The Managing Director,
The Management of State Express
Transport Corporation,(Tamil Nadu)Ltd,
Pallavan Salai, Chennai - 600 002.

2.The General Manager,
The State Express Transport Corporation(Tamil Nadu)Ltd,
Pallavan Salai, Chennai - 600 002.

<https://hccs.courtservice.gov.in/>
3.The Branch Manager,
The State Express Transport Corporation(Tamil Nadu)Ltd,
Thoothukudi Branch, Thoothukudi.



+1 cc to Mr.A.Rahul, Advocate in SR.No. 15956

+1 cc to Mr.K.Sathiya Singh , Advocate in SR.No. 15637

pmu

AE/SKN/03.04.2017/3P/6C

ORDER MADE IN
W.P. (MD) .No.3793 of 2014
and
M.P. (MD) No.1 of 2014
17.03.2017



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