

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.NO.21971 of 2018

N.S.Mani

....

Petitioner

Vs

1. The Chairman and Managing Director  
IVRCL Limited, M-22/23RT,  
Vijayanagar Colony, Hyderabad-500057  
Telangana.

2. The Regional Manager  
IVRCL Limited, No.30A, South Phase  
6<sup>th</sup> Cross Road, Thiru.Vi.Ka.Industrial Estate  
Guindy, Chennai - 600 32.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 18.02.2016 followed by his representation dated 12.06.2018 sent through his advocate.

For Petitioner : Mr.V.V.Sairam

O R D E R

This writ petition is filed seeking direction to the respondents to consider the representation of the petitioner dated 18.02.2016 followed by another representation dated 12.06.2018.

2. The brief facts leading to the filing of the present writ petition is that the petitioner joined the respondent company, which is a public limited company in the year 1992 and completed 23 years of service. He was on leave on account of jaundice and the information regarding leave was given to the site HR through email dated 05.04.2014 and 28.04.2014. There was no response from the respondent. Later the petitioner was assigned duty at Hyderabad, but he was not able to go to Hyderabad on account of a non-bailable warrant pending against him. On the ground that the petitioner was guilty of unauthorised absence, salary has not been paid to him.

3. The petitioner gave a notice dated 18.02.2016 calling upon the respondent to pay arrears of salary and to transfer him to Chennai region on medical grounds. The first respondent has issued a show cause notice dated 16.05.2017 stating as to why disciplinary action shall not be taken against him, for which the petitioner has sent his reply. Thereafter, the petitioner sent a representation dated 18.02.2016 followed by another representation dated 12.06.2018, which evoked no response and that made the petitioner to file the present writ petition.

4. Learned counsel for the petitioner would submit that the claim of the petitioner is legal and genuine and seeks a direction to the respondents to consider the representations.

5. Considering the limited prayer, the respondents are directed to consider the representations of the petitioner dated 18.02.2016 and 12.06.2018 and to take appropriate action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

kst  
To

1. The Chairman and Managing Director  
IVRCL Limited, M-22/23RT,  
Vijayanagar Colony, Hyderabad-500057  
Telangana.

2. The Regional Manager  
IVRCL Limited, No.30A, South Phase  
6<sup>th</sup> Cross Road, Thiru.Vi.Ka.Industrial Estate  
Guindy, Chennai - 600 32.

+1cc to Mr.V.V.Sairam, Advocate Sr.59000

srg 30/08/2018

W.P.No.21971 of 2018