

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.09.2018
Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No. 23102 of 2018

V. Gopinathan

...Petitioner

Vs.

1. The Managing Director,
State Express Transport Corporation
Limited, Pallavan Salai,
Chennai - 600 002.

2. The General Manager,
State Express Transport Corporation
Limited, Pallavan Salai,
Chennai - 600 002.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents by considering the representation made by the petitioner dated 25.07.2018 within the period to be stipulated by this Court.

For Petitioner : Mrs. R. Chandrasekaran
For Respondents : P. Kannan Kumar,
Standing Counsel

सत्यमेव जयते
ORDER

Heard, Mr. R. Chandrasekaran, the learned counsel appearing for the petitioner and Mr. P. Kannan Kumar, the learned Standing Counsel appearing for the respondents, who accepts notice on behalf of the respondents. With the consent of the learned counsel on either side, the Writ Petition is taken up for disposal at the stage of admission.

2. The case of the petitioner, in this Writ Petition is that while he was working as driver in the respondent, State Express Transport Corporation, he was removed from service on 15.12.2004, but his removal having not been approved by the Joint Commissioner or Labour (Reconciliation) in Approval

Application No. 9 of 2005, a Writ Petition was filed by the Management, (Transport Corporation), which was dismissed by this Court. Thereafter, the petitioner filed representations to take back him into service with all benefits and despite continuous representations have been filed, none has evoked response, and last such representation filed by the petitioner in the recent past is dated 25.07.2018. Hence, he has come to this Court filing this Writ Petition seeking a writ of mandamus directing the respondents to consider his representation within a stipulated period.

3. The learned Counsel appearing for the petitioner submits that the respondents being found guilty of inaction, the relief sought for may be granted to the petitioner.

4. The Learned Standing Counsel appearing for the respondents submits that the respondents have no objection for consideration of such representation but in accordance with the law.

5. Regard being had to the facts of the case, this Court without expressing any opinion on the merit of the representation of the petitioner, inasmuch as, this Court has not examined the details of the contention of the petitioner in this Writ Petition on the merit of such representation as the petitioner has come to this Court with a limited prayer to direct the respondents to take a decision on such representation, dispose of the Writ Petition with a direction to the respondents, more particularly, the second respondent to take an informed and considered decision on the representation of the petitioner within a period of six weeks from the date of receipt of the copy of this order, in accordance with law. However, it is made clear that this Court has expressed no opinion on the merit of such representation. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Managing Director,
State Express Transport Corporation
Limited, Pallavan Salai,
Chennai - 600 002.

2.The General Manager,
State Express Transport Corporation
Limited, Pallavan Salai,
Chennai - 600 002.

3.

+1cc to Mr.R.Chandrasekaran, Advocate, S.R.No.61570.
+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.61484.

Writ Petition No. 23102 of 2018

rrs 26/09/2018



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