

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2018

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.22612 of 2018

Mr. R. Pulendiran

...Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Vizhupuram) Ltd.
3/137, Salamedu Varada Reddy Post,
Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Cuddalore Division,
Cuddalore - 607 002.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the representation dated 17.07.2018 for reinstatement of the petitioner into services with all the back wages and attendant benefits thereto.

For Petitioner : Mr. A.V. Arun

For Respondents 1&2 : Mr.S. Sairaman

ORDER

The writ petition has been filed for issuance of Writ of Mandamus directing the respondents to consider the representation dated 17.07.2018 for reinstatement of the petitioner in service with all the back wages and attendant benefits thereto.

2. Pursuant to the award dated 20.03.2017 passed by the Special Deputy Labour Commissioner in A.P.No.291 of 2011, the petitioner, who has been terminated from the corporation for unauthorized absence, has filed representation dated 17.07.2018 before the respondents seeking for his reinstatement in service with back wages. As there is no response from the respondents, the petitioner has filed the present writ petition.

3. The learned counsel for both the parties represented that this Court has passed order dated 20.09.2018 in the present writ petition that without prejudice to the contentions of the Management in the writ petition challenging the rejection of the approval petition, the Management is directed to reinstate the petitioner herein in service within a period of two weeks from the date of receipt of a copy of the order and the workman shall be paid current wages. Insofar as the question of backwages is concerned, it would be decided at the time of final hearing.

4. The learned counsel for the respondents would submit that representation dated 17.07.2018 of the petitioner with respect to the back wages and other benefits will be considered as per the award passed by the labour Court and in accordance with law subject to challenging the award passed by the Labour Court before this Court.

5. In the light of the aforesaid submission of the learned counsel for the respondents and considering the scope of the relief prayed in the writ petition without expressing any opinion, this Court is inclined to direct the respondents to consider the representation dated 17.07.2018 in respect of backwages and other benefits subject to challenging the award passed by the Labour Court, as expeditiously as possible preferably within eight weeks from the date of receipt of a copy of this order.

6. The writ petition accordingly, is disposed of with the above direction. There shall be no order as to costs.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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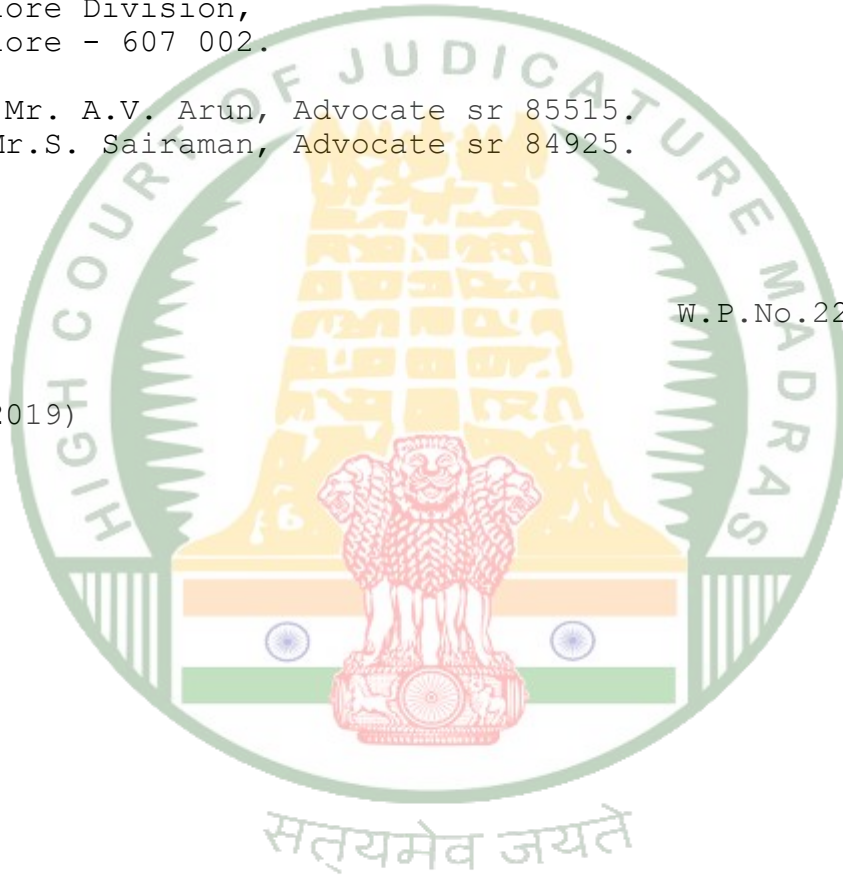
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+1 CC to Mr. A.V. Arun, Advocate sr 85515.
+1 CC to Mr.S. Sairaman, Advocate sr 84925.

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KS (CO)
SP (20/02/2019)



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