

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.09.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.24900 of 2018

C.Selvaraj

..... Petitioner

Vs

1. The Managing Director,
Head Office,
Tamil Nadu State Transport Corporation,
Salem Division,
No.12, Ramakrishna Salai,
Salem - 7.

2. The General Manager,
Head Office,
Tamil Nadu State Transport Corporation,
Salem Division,
No.12, Ramakrishna Salai,
Salem - 7.

3. The Branch Manager,
Thiruchengode Branch.
Tamil Nadu State Transport Corporation,
Salem Division,
Thiruchengode,
Nammakkal District.

..... Respondents

PRAYER Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.08.2018 and allot work to the petitioner under the 3rd respondent and consequently direct the respondents to pay the unpaid salary from 05.07.2018 to 21.07.2016 and thereafter till the date of allotment work and award compensation for illegal nonpayment of salary to the petitioner along with accrued interest till the date of realisation.

For Petitioner : Mr.T.R.Udayakumar

For Respondents : Mr.Rajeni Ramadoss

Standing Counsel

O R D E R

The case of the petitioner is that he was working under the 3rd respondent as a conductor from the year 2008 and also an activist of Labour Grievances Redressal Organisation which is a registered

organization serving for the public at large. The grievance now expressed by the petitioner is that the 3rd respondent in order to victimize the petitioner for pro-labour activities, has issued a charge memo and transferred him from one branch to another previously and since 05.07.2018 onwards, the petitioner has not been allotted with any work and also not paid with the salary from 05.07.2018 to till date. Thereafter, the petitioner in this regard has submitted a number of representation to the respondents and last one was sent on 21.08.2018 but till date no decision has been taken by the respondents, he has come to this Court seeking for a direction to the respondents to consider his representation dated 21.08.2018 to allot work to him under the 3rd respondent and direct the respondents to pay the unpaid salary from 05.07.2018 to till date.

2. The learned counsel appearing for the petitioner would submit that since the petitioner has not been allotted with any work and a representation in this regard has not been considered and necessary direction be given to the respondents to grant the relief as prayed for.

3. Mrs. Rajeni Ramadoss, learned counsel appearing for respondents however submits that the petitioner has suppressed the fact that he has been transferred on 02.07.2018 and thereafter, he has not joined in the new place of posting and now he has come to this Court suppressing the above fact, seeking the relief to which he is not entitled to.

4. Regard being had to the facts and circumstances of this case, especially the fact that pursuant to the order of transfer, the petitioner has not joined in the new place of posting and therefore, this Court is of the view that the prayer made by the petitioner seeking for the aforesaid relief is devoid of merit and accordingly, the same stands dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

rka 20.09.2018

Speaking/Non speaking order

Index : yes/no

Internet: Yes/no

SATRUGHANA PUJAHARI, J.

rka

To

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