

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2018

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.33392 of 2018

C.Sambu

...Petitioner

Vs

1.The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem-7.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road
Salem - 7.

3.The Branch Manager,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Mettur Branch, Mettur Dam,
Salem District.

...Respondents

For Petitioner : M/s.M.R.Jothiraman

For Respondent : Mr.R.K.Gandhi,
Standing Counsel

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to pay the salary for the period from 20.06.2017 to 05.03.2018, Deepavali Bonus and increments on par with others to protect the livelihood of the petitioner forthwith.

O R D E R

This writ petition has been filed seeking direction to the respondents to consider the representation of the petitioner

dated 15.11.2018 seeking salary and bonus for the period from 20.06.2017 to 05.03.2018.

2. The petitioner was appointed as Driver by the first respondent and posted at third respondent branch. By an order dated 15.06.2017, he was transferred from Mettur branch to Erumapalayam-2 branch, which was challenged before this Court in W.P.No.16685 of 2017. This Court, by an order dated 30.06.2017, granted interim direction to the respondents to not to precipitate the matter further. However, even thereafter, the petitioner was not allowed to join duty. Hence, the petitioner filed a contempt petition in Contempt Petition No.1284 of 2017 and this Court, by an order dated 28.02.2018, this Court directed the respondents to appear before this Court. Pursuant to the same, the respondents withdrew the transfer order dated 15.06.2017. Thereafter, the petitioner was posted at Mettur branch. The grievance of the petitioner is that the salary for the period from 20.06.2017 to 05.03.2018 had not been paid to him and no increment was given to him on par with others. The petitioner claims that he has been victimized on account of filing a writ petition before this Court, challenging the transfer order. He has sent another representation on 15.11.2018, requesting the respondents to pay salary for the period 20.06.2017 to 05.03.2018, which has not been considered. Hence, the petitioner has filed the present writ petition.

3. Mr.R.K.Gandhi, learned Standing Counsel takes notice on behalf of the respondents. Heard the learned counsel on either side and perused the materials on record.

4. Considering the limited nature of the prayer, without going into the merits, the respondents are directed to consider the representation dated 15.11.2018 submitted by the petitioner, and pass appropriate orders thereon, 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.

kst

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem-7.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road
Salem - 7.

3.The Branch Manager,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Mettur Branch, Mettur Dam,
Salem District.

+1cc to Mr.M.R.Jothimanian, Advocate, S.R.No.87389

kak (25/01/2019)

W.P.No.33392 of 2018



WEB COPY