



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2018

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.9208 of 2018

WEB COPY

Subburaj

...Petitioner

Vs.

1) The General Manager,
Tamil Nadu State Transport Corporation,
Dindigul Region,
Dindigul.

2) The Branch Manager,
Tamil Nadu State Transport Corporation,
Cumbum - II Depot,
Theni District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to allot work to the petitioner as a driver in Cumbum - II Depot, Tamil Nadu State Transport Corporation with continuity of service and all attendance and monetary benefits on the basis of the representation dated 13.04.2018.

For Petitioner : Mr.V.Thirumal

For Respondents : Mr.A.P.Muthpandian,
Standing Counsel for TNSTC.

O R D E R

The prayer sought for in this Writ Petition is to issue a Writ of Mandamus, directing the respondents to allot work to the petitioner as a driver in Cumbum - II Depot, Tamil Nadu State Transport Corporation with continuity of service and all attendance and monetary benefits on the basis of the representation dated 13.04.2018.

2. Heard Mr.V.Thirumal, learned counsel for the petitioner and Mr.A.P.Muthpandian, learned standing counsel appearing for the Tamil Nadu State Transport Corporation.

3. Learned counsel for the petitioner submits that, the petitioner was suspended from 10.12.2017 till 09.03.2018 and after the expiry of the said suspension period (i.e.,) on 9.03.2018, even though the petitioner would be entitled to join duty, he has not been permitted so far by the respondent Corporation.

4. The learned counsel for the petitioner would submit that, a representation to that effect was given by the petitioner on 13.04.2018 and even that was not being considered by the respondent



Corporation. Therefore, if a direction is given to the respondent Corporation to consider the representation of the petitioner and permit him to join duty, then the petitioner would be satisfied.

5. I have heard Mr.A.P.Muthpandian, learned standing counsel appearing on behalf of Tamil Nadu State Transport Corporation, who would submit that, since the suspension period is over by 09.03.2018, the petitioner's representation dated 13.04.2018 would be considered for permitting him to join duty.

6. In view of the submissions made on either sides and with the consent of both sides, this writ petition is disposed of in the admission stage itself, with the following direction;-

"that the petitioner's request made in his representation dated 13.04.2018, shall be considered by the respondent Corporation and based on the same, the petitioner may be permitted to join duty and an order to that effect shall be passed, by the respondent Corporation, within a period of one week from the date of receipt of a copy of this order."

7. With these directions, the Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/

Assistant Registrar(Crl side)

/True copy/

Sub Assistant Registrar

To

1) The General Manager,
Tamil Nadu State Transport Corporation,
Dindigul Region,
Dindigul.

2) The Branch Manager,
Tamil Nadu State Transport Corporation,
Cumbum - II Depot,
Theni District

+1cc to Mr.S.SABBANU KARPURAJOTHI, Advocate, SR.No.63376

Order in
W.P. (MD) No.9208 of 2018
25.04.2018

STS

KK/SV MMS/26.04.2018/SAR-3/2P-4C

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