



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2018

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.12823 of 2018

R.Mohan

...Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport
Corporation(Kumbakonam) Ltd.,
27, Railway Station New Road,
Kumbakonam - 612 001
Thanjavur District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to provide alternative duty to the petitioner with pay protection, continuity of service and all attendant benefits, within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.SP.Vijay Nivas

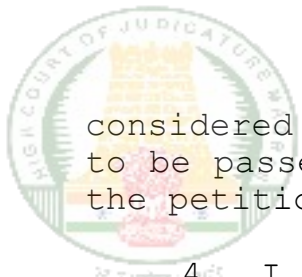
For Respondent : Mr.D.Sivaraman,
Standing Counsel.

O R D E R

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondent to provide alternative duty to the petitioner with pay protection, continuity of service and all attendant benefits, within the stipulated time that may be fixed by this Court.

2. Heard Mr.SP.Vijay Nivas, learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned standing counsel appearing for the respondent Corporation.

3. Learned counsel appearing for the petitioner would submit that when the petitioner was working at the respondent Corporation, on 28.09.2011, he met with an accident and as a result, his spinal cord got affected and therefore, he had undergone a surgery. Because of this, he is not able to continue with the present job of Conductor. Therefore, on the said ground, the petitioner has sought for an alternative employment and in this regard, he had given a representation dated 25.04.2018 and if the said representation is



considered by the respondent and an order to that effect is directed to be passed within the time frame that may be fixed by this Court, the petitioner would be satisfied.

4. I have heard Mr.D.Sivaraman, learned standing counsel appearing for the respondent Corporation, who would submit that the said representation of the petitioner dated 25.04.2018 would be considered and an order to that effect shall be passed on merits within the time frame that may be fixed by this Court.

5. Considering the submissions made by both sides, this Writ Petition is disposed of with the following direction:

"that the respondent is directed to consider the representation of the petitioner dated 25.04.2018 and pass orders thereon on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order."

6. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar(CS-IV)

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To

The Managing Director,
Tamil Nadu State Transport
Corporation(Kumbakonam) Ltd.,
27, Railway Station New Road,
Kumbakonam - 612 001
Thanjavur District.

+1cc to Mr.SP.Vijaynivas, Advocate in SR No.68520

+1cc to Mr.D.Sivaraman, Advocate in SR No.68583

W.P. (MD) No.12823 of 2018

NM/SKN/SAR 4/03.10.18/2P/4C