



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.13396 of 2018

R.Nandhakumaran

... Petitioner

-vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Bye Pass Road,
Madurai - 16.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Dindigul Region,
Dindigul - 4.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS directing the respondents to settle the back wages from the date of dismissal on 29/06/2014 till the date of reinstatement on 28/01/2016, for settling the unpaid leave salary for 24 days and refund of Rs.34,000/- which was wrongly deducted from the terminal benefits along with interest.

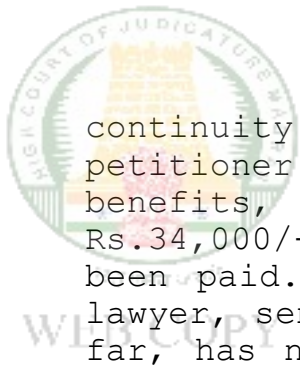
For Petitioner	: Mr.S.Govindan
For Respondents	: Mr.AP.Muthupandian, Standing Counsel for TNSTC

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to settle the back wages from the date of dismissal on 29/06/2014 till the date of reinstatement on 28/01/2016, to settle the unpaid leave salary for 24 days and refund Rs.34,000/-, which was wrongly deducted from the terminal benefits along with interest.

2. Heard Mr.S.Govindan, learned Counsel appearing for the petitioner as well as Mr.AP.Muthupandian, learned Standing Counsel, who takes notice for the respondents.

3. The petitioner was working as Conductor at the respondents Corporation and he has been terminated from service, against which, he moved before the Court of law and ultimately, by the orders of this Court, the petitioner was directed to be reinstated with



continuity of service and other benefits. Pursuant to which, the petitioner was reinstated on 28.01.2016. However, the terminal benefits, ie., encashment of leave salary and disbursement of Rs.34,000/-, which was wrongly deducted from the petitioner had not been paid. Therefore, in this regard, the petitioner, through his lawyer, sent a request on 11.09.2017. However, the said request, so far, has not been considered and the amount, so far, has not been disbursed and hence, the petitioner is before this Court.

4. The learned Counsel for the petitioner would submit that, the said request made by the petitioner, through his lawyer, dated 11.09.2017, if considered as his representation and if the same is directed to be considered by the respondents and an order to that effect is directed to be passed within a time frame that may be stipulated by this Court, the petitioner would be satisfied.

5. Mr.AP.Muthupandian, the learned Standing Counsel appearing for the respondents, would submit that the said request of the petitioner, through his lawyer, dated 11.09.2017, would be considered on merits and an order to that effect would be passed, within the time frame to be stipulated by this Court.

6. Considering the said submissions made by both sides, this writ petition is disposed of, with the consent of both sides at the admission stage itself, with the following direction:-

"that the respondents are directed to consider the request of the petitioner, through his lawyer, dated 11.09.2017, on merits and in accordance with law and pass orders thereon, within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs."

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Bye Pass Road,
Madurai - 16.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Dindigul Region, Dindigul - 4.

+ 1 CC TO Mr.S.GOVINDAN, ADVOCATE IN SR No. 69533

GK

<https://hcservices.ecourts.gov.in/hcservices/>

TE/SB/SAR-2 : 09/07/2018 : 2P/4C

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