



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.16589 of 2013

and

M.P (MD) Nos.1 and 2 of 2013

WEB COPY

P.Ramar,
Conductor,
Employment No.85067,
Madurai Branch,
(Tamil Nadu State Transport Corporation,
Karaikudi),
Residing at Plot No.9, Periyar Nagar,
West Cross Street, Madakulam,
Madurai-3

... Petitioner

-vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam,
Thanjavur District.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Karaikudi Branch,
Karaikudi, Sivagangai District.
3. The Deputy Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the third respondent in Ref.TNSTC/AD/B3/1475, dated 15.7.2013 and to quash the same as illegal and consequently to direct the respondents to disburse the salary of the Petitioner from June 2012 within a reasonable time.

For Petitioner : M/s.K.Appadurai
For Respondents : Mr.D.Sivaraman

O R D E R

THIS Writ Petition is filed to quash the impugned order, dated 15.7.2013 issued by the third respondent. Further direction



is sought for to direct the respondents to disburse the salary of the Petitioner from June 2012.

2.It is brought to the notice of this Court that the medical invalidation claimed by the Writ Petitioner had not been accepted by the respondents. However, by virtue of the interim order granted in this Writ Petition, the Writ Petitioner had been re-instated and continuing in job.

3.The learned counsel for the respondents states that the medical board without examining the Writ Petitioner, had submitted a report stating that the Writ Petitioner is fit for the job of Conductor. Under these circumstances, the learned counsel for the Writ Petitioner states that the Writ Petitioner is continuing in service. However, his claim for alternate employment and payment of salary arrears has not been considered. The fact remains that the Writ Petitioner, at the time of filing of the Writ Petition, was aged about 52 years. This apart, an alternate employment also has been provided to the Writ Petitioner.

4.Thus, in respect of revision of pay or arrears of pay, the Writ Petitioner is directed to submit a fresh representation to the second respondent within a period of three weeks from the date of receipt of a copy of this order. If any such representation is submitted by the Writ Petitioner in respect of his existing grievance, the same shall be considered and an order shall be passed by the second respondent on merits and in accordance with law within a period of eight weeks from the date of receipt of such representation..

5.Accordingly, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

+1cc to Mr.D.Sivaraman, Advocate Sr.No.51822

+1cc to Mr.K.Appadurai, Advocate Sr.No.51524

VSN

VB/KK/SAR4/08/03/2018/2P/3C

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