

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.25947 of 2019

and

WMP.No.25397 of 2019

G. Sampasivam

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Secretary,
Transport Department,
Fort St. George,
Chennai- 600 009.

2. The Managing Director,
Metropolitan Transport Corporation,
Pallavan House,
Anna Salai,
Chennai- 600 002.

3. The Senior Deputy Manager,
Metropolitan Transport Corporation,
Pallavan House,
Anna Salai,
Chennai -600 002.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus or any other appropriate writ or order or direction in the nature of writ directing 2nd and 3rd respondents to appointed as Helper Store post as permanent pursuant and by considering the petitioner's representation dated 27.06.2019 and pass such further or circumstances of the case.

For petitioner : Mr. T. Balachandran

For Respondents : Mrs. A. Srijayanthi, AGP for R1
Mrs. Rajani Ramadoss for R2 and R3

O R D E R

The case of the petitioner is that the petitioner was initially appointed as Driver in Metropolitan Transport Corporation, Pallavan Salai, Chennai on 28.12.1998. In the month of February 2015, while he was driving a bus due to numbness in his left leg, he was unable to drive the bus and therefore he handed over the bus to the concerned depot at his own risk and then immediately he informed the fact to the Depot Manager. Thereafter, he made a representation on 08.10.2015 to the second respondent with a request to change his nature of job. On 30.07.2016, the second respondent issued proceedings appointing the petitioner temporarily in the post of helper Non ITI in diesel filling store. Thereafter on 09.05.2017, the second respondent referred the petitioner to the medical board at the Government hospital Chengalpattu. After medical test, a report dated 7.06.2017 was issued by the Medical Board, Government Hospital, Chengalpattu holding him unfit for driving a passenger bus. On 21.06.2019, the petitioner made representations to the 2nd and 3rd respondents to appoint him in any alternative job, but till date his representation was not considered. Hence the present Writ Petition is filed.

2. The learned counsel for the petitioner would submit that without expressing any opinion on the merits of the case, it would be suffice to issue direction to the respondents to consider the representation dated 21.06.2019 on merits and in accordance with law.

3. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the 2nd and 3rd respondents to dispose of the representations dated 21.06.2019 submitted by the petitioner in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Secretary,
Transport Department,
Fort St. George,
Chennai- 600 009.

2. The Managing Director,
Metropolitan Transport Corporation,
Pallavan House,
Anna Salai,
Chennai- 600 002.

3. The Senior Deputy Manager,
Metropolitan Transport Corporation,
Pallavan House,
Anna Salai,
Chennai -600 002.

+1cc to Mr.T.Balachandran, Advocate Sr.80310

W.P.No.25947 of 2019
and
WMP.No.25397 of 2019

vd[col]
srg 18/11/2019

सत्यमेव जयते

WEB COPY