

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31610 of 2019

and

WMP.No.31813 of 2019

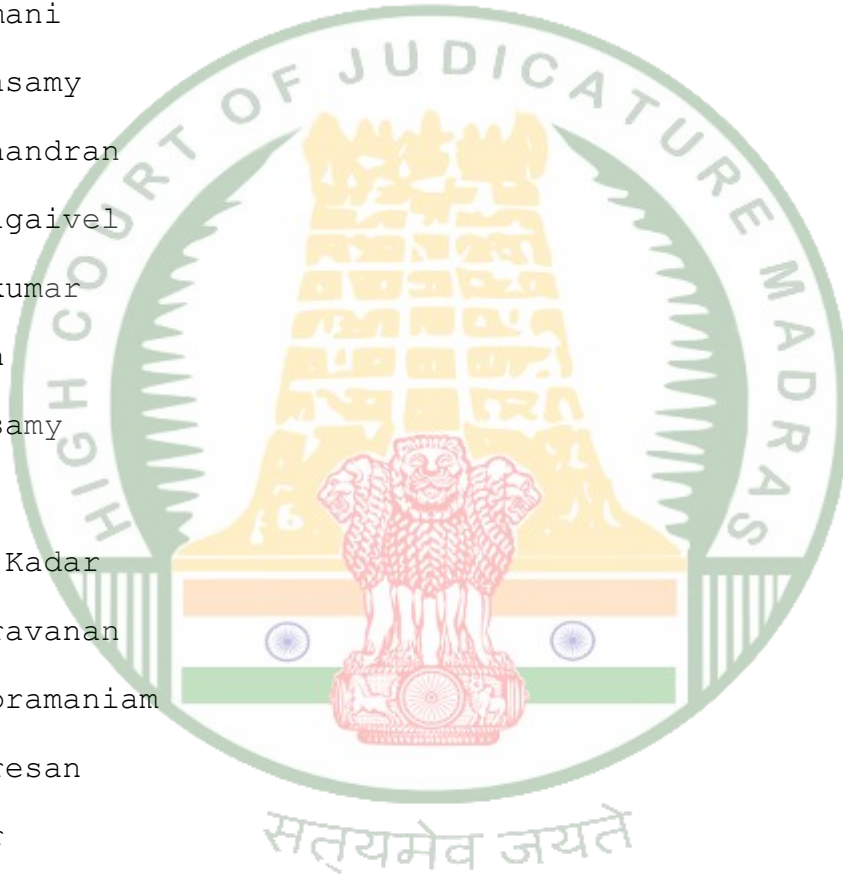
- 1.A.Subramani
- 2.R.Periyasamy
- 3.K.Ravichandran
- 4.M.Thandigaivel
- 5.E.Selvakumar
- 6.P.Rangan
- 7.A.Muthusamy
- 8.N.Ravi
- 9.M.Abdul Kadar
- 10.M.S.Saravanan
- 11.M.P.Subramaniam
- 12.R.Kumaresan
- 13.R.Sekar
- 14.S.G.Balakrishnan
- 15.N.Govindaraj
- 16.N.Gopal
- 17.K.Velusamy
- 18.M.Subramani
- 19.L.Palanisamy
- 20.A.Chinnasamy

21.P.Easwaran

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

22.C.A.Maheswaran

... Petitioners



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Versus

The General Manager,
Tamil Nadu State Transport Corporation Limited,
Salem Division - I,
Salem District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to confer regular time scale of pay to the petitioners from the initial date of their appointment as conductor/driver as the case may be on par with similarly placed persons like the petitioners by considering their representation dated 16.09.2019.

For Petitioners: Mr.S.Mani

For Respondent : Mr.P.Kannankumar

ORDER

This Writ petition has been filed seeking to direct the respondent to confer regular time scale of pay to the petitioners from the initial date of their appointment as conductor/driver as the case may be on par with similarly placed persons like the petitioners by considering their representation dated 16.09.2019.

2.The case of the petitioners is that they initially appointed as Conductor/Driver on daily wage basis. Thereafter, their names were referred to the Transport Corporation by the employment exchange in the above said post in time scale of pay on various dates between 14.11.1997 and 31.12.1997 and they were regularized with effect from 03.08.2006 and 07.04.2008. But, similarly placed persons like the petitioners got their service regularization from the initial date of appointment on daily wage basis. However, the service rendered by the petitioners from the initial date of appointment till their regularization on 03.08.2006 was deprived and not taken account for the purpose of conferment of service benefits. On 16.09.2019, the petitioners were sent their joint representation through registered post with acknowledgment. But till date, the petitioners representation was not considered by the respondent. Therefore, the petitioners approached this Court with the above said prayer.

3.Heard both sides and perused the materials available on record.

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4. In view of the limited relief sought for, this Court is of the view that it is not necessary to delve into the merits of the issue, but it would suffice to direct the respondent

to consider the representation submitted by the petitioners dated 16.09.2019 and pass orders on the same within a particular time frame.

5.With the above directions, this writ petition is disposed of directing the respondents to consider the representation of the petitioners dated 16.09.2019 and to pass orders thereon, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

The General Manager,
Tamil Nadu State Transport Corporation Limited,
Salem Division - I,
Salem District.

+1cc to Mr.S.Mani, Advocate Sr.92902

+1cc to Mr.P.Kannankumar, Advocate Sr.93560

+3cc to Mr.S.Mani, Advocate Sr.92902 [06/01/2020]

W.P.No.31610 of 2019
and
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srg 05/12/2019