



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.03.2019
CORAM:
THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP(MD)No.17226 of 2017

WEB COPY

C.Babu Rajan

... Petitioner

Vs.

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

2.The Managing Director,
State Express Transport Corporation,
Pallavan Street,
Chennai - 2.

3.The General Manager (Administration),
State Express Transport Corporation,
Pallavan Street,
Chennai - 600 002.

4.The Branch Manager,
State Express Transport Corporation Ltd,
Kanyakumari Branch,
Kanyakumari,
Kanyakumari District.

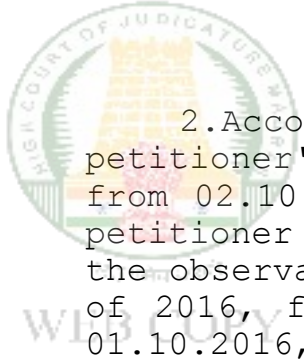
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondent No.3 to provide the salary for the period from 02.10.2016 to 14.03.2017 (164 days) along with the annual increment to the petitioner within the time stipulated by this Court.

For Petitioner	: Mr.T.Lajapthi Roy,
For Respondent	: Mr.V.Anand,
Nos.1 & 2	Government Advocate
For Respondent	: Mr.K.Sathiya Singh
Nos. 3 & 4	

ORDER

This writ petition has been filed seeking to direct the third respondent to provide the salary to the petitioner for the period from 02.10.2016 to 14.03.2017.



2. According to the learned Counsel for the petitioner, as the petitioner's claim to pay him salary for the leave, which he availed from 02.10.2016 to 14.03.2017, has not been considered so far, the petitioner is before this Court. The learned Counsel also relied on the observation made by this Court, on 21.11.2016, in WP(MD)No.22210 of 2016, filed by the petitioner earlier, against the order dated 01.10.2016, directing him to join duty as Conductor, despite the fact that he suffered 50% disability.

3. The learned Government Advocate and the learned Standing Counsel appearing for respective respondents submitted that the representation of the petitioner would be considered on merits.

4. Under such circumstances, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 07.07.2017, on merits and in accordance with law, and also in the light of the observation made by this Court in the order dated 21.11.2016 in WP(MD)No.22210 of 2016 and pass necessary orders, after affording due opportunity of hearing to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar (CS)

dsk

To

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

2. The Managing Director,
State Express Transport Corporation,
Pallavan Street,
Chennai - 2.

3. The General Manager (Administration),
State Express Transport Corporation,
Pallavan Street,
Chennai - 600 002.



4.The Branch Manager,
State Express Transport Corporation Ltd,
Kanyakumari Branch,
Kanyakumari,
Kanyakumari District.

WEB COPY

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-53594[F] dated 13/03/2019)
+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-53907[F] dated 14/03/2019)
+1 CC to M/s.SPL GP (SR-53950[F] dated 14/03/2019)

WP (MD) No.17226 of 2017
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ES/DS/23.04.2019/3P/8C