



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

**W.P(MD) No.271 of 2016
and
W.M.P. (MD) No.200 of 2016**

S.Sheik Abdullah

... Petitioner

VS

1. The Secretary to Government,
Transport Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation(Madurai),
Bye-pass Road, Madurai.
3. The General Manager,
Tamil Nadu State Transport Corporation,
Dindigul Division, Dindigul District.
4. The Branch Manager,
Tamil Nadu State Transport Corporation,
Dindigul Branch-1,
Dindigul Division,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from permitting the conductors/drivers to work as Controllers in Controller Section and time keepers, in the light of Clause 12(XVIII) of the 12(3) Settlement dated 31.08.2015 and direct the respondents to implement the Clause 12(XVIII) of the 12(3) Settlement dated 31.08.2015 by providing duty to the Conductors/Drivers in accordance with their respective cadre.



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For Petitioner

: Mr.J.Ashok

For Respondents

: Mr.J.Padmavathy Devi
Special Government Pleader
for R.1

: Mr.A.P.Muthupandian
for R.2 to R.4

ORDER

Heard the learned Counsel appearing for the petitioner, the learned Special Government Pleader appearing for the first respondent and the learned Standing Counsel appearing for the respondents 2 to 4 and perused the materials available on record.

2. The learned Counsel for the petitioner, though raises various grounds in this writ petition, now confines his prayer to direct the respondents to consider the petitioner's representation, dated 26.06.2015, in the light of 12(3) Settlement dated 31.08.2015 and pass appropriate orders, for which, the learned Counsel appearing for the respondents have no objection.

3. In such view of the matter, without going into the merits of the petitioner's case, the respondents are directed to consider the representation of the petitioner dated 26.06.2015 and pass appropriate orders on merits and in accordance with law and in the light of 12(3) Settlement dated 31.08.2015, after affording an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

4. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

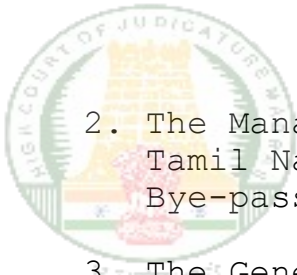
Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
Transport Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.



2. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai),
Bye-pass Road, Madurai.

3. The General Manager,
Tamil Nadu State Transport Corporation,
Dindigul Division, Dindigul District.

4. The Branch Manager,
Tamil Nadu State Transport Corporation,
Dindigul Branch-1,
Dindigul Division,
Dindigul District.

+1cc to Mr.A.P.Muthupandian, Advocate in SR.No. 52137

+1cc to Mr.Ashok, Advocate in SR.No. 52192

+1cc to Special Government Pleader Advocate in SR.No. 52672

W.P(MD) No.271 of 2016
06.03.2019

KK/01.04.2019/3P-8C