



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2019

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.27164 of 2019

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M.Ilango
S/o.Manickam

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam Division) Limited,
Kumbakonam,Thanjavur.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam Division) Limited,
Tiruchirappalli Division,Tiruchirappalli.

3.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye Pass Road,Madurai.

4.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,Bye Pass Road,
Dindigul.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent Nos.1 and 2 to forward the petitioner's service records pertaining to the petitioner's services in their Corporation so as to enable the respondent Nos.2 and 3 to enter the petitioner's service particulars in the new service register by considering the petitioner's representation dated 05.01.2019 within a stipulated time.

For petitioner : Mr.J.Lawrance
For respondents 1 & 2 : Mr.P.Balasubramanian
For respondents 3 & 4 : Mr.J.Senthil Kumaraiah

ORDER

This writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to forward the petitioner's service records pertaining to the petitioner's services in their Corporation so as to enable the



respondent Nos.3 and 4 to enter the petitioner's service particulars in the new service register by considering his representation dated 05.01.2019 within a stipulated time.

2.Mr.P.Balasubramanian, learned standing counsel, took notice for the respondents 1 and 2 and Mr.J.Senthil Kumaraiah, learned standing counsel, took notice for the respondents 3 and 4. By consent, the writ petition itself is taken up for final disposal.

3.The learned counsel for the petitioner submitted that on 15.11.1998, the petitioner was appointed as a Driver in the first respondent Corporation on temporary basis and the petitioner's service was regularised with effect from 15.09.1999. Due to his unblemished record of service, he was given periodical review benefits. At the request of the petitioner, the first respondent transferred him to the 3rd respondent Corporation on deputation basis and thereafter, he was permanently transferred to the third respondent Corporation and in this regard, the 4th respondent issued a proceedings on 17.01.2012. The grievance of the petitioner is that even after his transfer, his service record has not yet been forwarded by the first and second respondents to the third and fourth respondents. The third respondent has been maintaining a new service register by recording his service particulars from the date of his permanent transfer ie., from 17.01.2012 in the third respondent Corporation. The petitioner has sent a representation to the first and second respondents on 05.01.2019, requesting to forward his service record, but till date it has not been considered and his service record has not been forwarded by the first and second respondents. Due to inaction on the part of the respondents 1 and 2, the petitioner is not in a position to get annual increment, review benefits and other monetary benefits payable to him. Therefore, the petitioner has come up with this writ petition for the aforesaid prayer.

4. The learned counsel appearing for the respondents 1 and 2 would submit that the representation of the petitioner dated 05.01.2019 will be considered by the first and second respondents as early as possible.

5. Considering the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the first and respondents to consider the representation of the petitioner dated 05.01.2019 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to send a copy of this order along with a copy of the representation dated 05.01.2019 to the first and second respondents for early compliance of this order.



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6. This Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gcg

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-106413[F]
+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-106425[F]
+1 CC to M/s.J.LAWRENCE, Advocate (SR-106436[F] dated 20/12/2019)

SMA/09/01/2020/3P/4C

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