

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.2977 OF 2020

Panneerselvam

... Petitioner

-Vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Limited,
No.137, Salamedu,
Vazhuthareddy Post,
Villupuram - 605 602
 2. The General Manager,
Tamil Nadu State Transport Corporation (VPM) Limited,
Thiruvannamalai Region,
Vengaikal Village and Post,
Thiruvannamalai - 606 604
- ... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to sanction yearly increment from the year 2013 to 2019 based on the representation dated 09.11.2019 on par with Rule 70 Note-I and Rule 70(iii) Note 2 of the Common Service Rules of the Transport Corporation and Service weightage which is due for completion of 10 years service in the same cadre of Selection Grade Assistant Engineer.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.C.S.K.Sathish
Standing Counsel

ORDER

This Writ Petition has been filed for the issue of writ of Mandamus, directing the respondents to consider the representation made by the petitioner on 09.11.2019 and to sanction his yearly increment from the year 2013, as per the Common Service Rules of the Transport Corporation and to pay all attendant benefits.

2. The case of the petitioner is that he joined as Junior Engineer Trainee in the Transport Corporation and his service was regularized in the year 1986. Thereafter, he was promoted to the post of Assistant Engineer and upgraded as Senior Assistant Engineer and further upgraded as Selection Grade Assistant Engineer. In the year 2013, a complaint came to be given against him and he was placed under suspension, pending enquiry. According to the petitioner, the suspension came to be revoked and he was thereafter permitted to join duty on 03.05.2013. Thereafter, the petitioner was re-posted at Thiruvannamalai Head Office on the technical department in the year 2014. The petitioner was thereafter posted as Branch Manager in Thiruvannamalai, SIDCO Branch, in the year 2015.

3. The further case of the petitioner is that he is entitled for sanction of an yearly increment from the year 2013 onwards, as per Rule 70 Note-I and Rule 70(iii) Note 2 of the Common Service Rules of the Transport Corporation and Service weightage which is due for completion of 10 years service in the same cadre of Selection Grade Assistant Engineer. The petitioner therefore made a representation to the respondents on 09.11.2019 in this regard to the respondents. Since the same has not been considered, the present writ petition has been filed before this Court.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 09.11.2019 and deal with the same on its own merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with copy of the representation dated 19.11.2019 and also a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

WEB COPY
Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rka

To

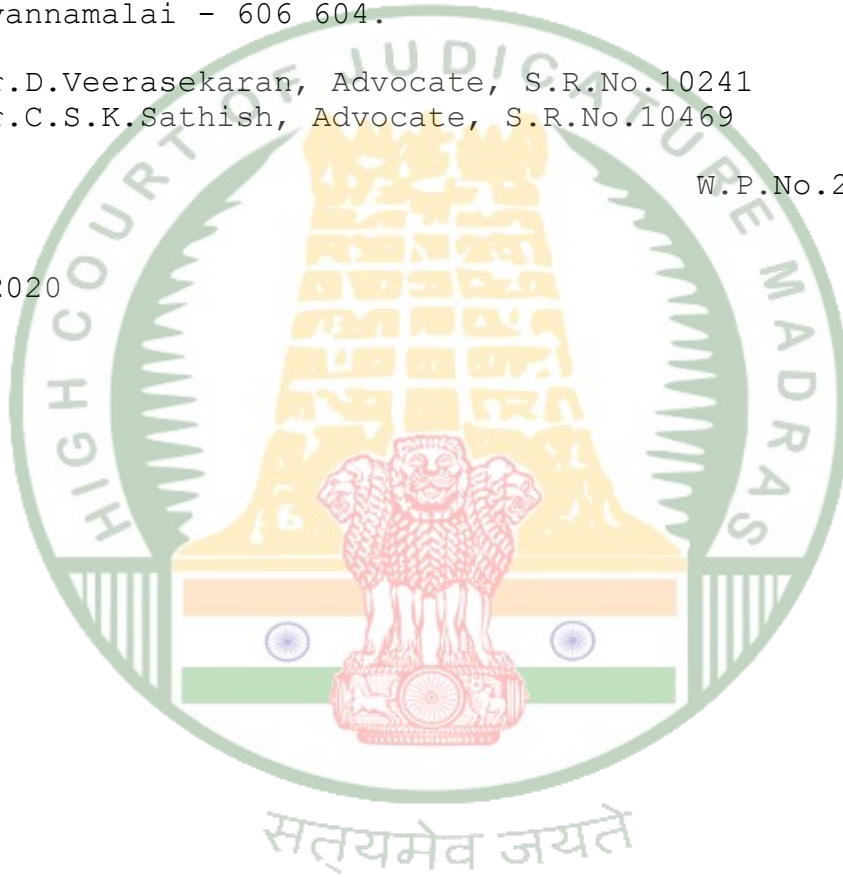
1. The Managing Director,
Tamil Nadu State transport Corporation (VPM) Limited,
No.137, Salamedu,
Vazhuthareddy Post,
Villupuram - 605 602
2. The General Manager,
Tamil Nadu State Transport Corporation (VPM) Limited,
Thiruvannamalai Region,
Vengaikal Village and Post,
Thiruvannamalai - 606 604.

+1cc to Mr.D.Veerasekaran, Advocate, S.R.No.10241

+1cc to Mr.C.S.K.Sathish, Advocate, S.R.No.10469

W.P.No.2977 of 2020

NRJK(CO)
CS/12/03/2020



WEB COPY