

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27672 of 2013

W.Mathew Gunaseelan

... Petitioner

Vs.

Tamil Nadu State Transport Corporation
(Villupuram)
Vellore District
Represented by its General Manager

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to reinstate the petitioner, with full backwages, continuity in service and all other benefits.

For Petitioner : Mr.A.R.Sakthivel

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

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondent to reinstate the petitioner, with full backwages, continuity in service and all other benefits.

2.The case of the petitioner is that the petitioner was employed as Driver in the respondent Corporation during the year 2007. During the year 2008, the petitioner suffered serious jaundice and was subjected to continuous medication and treatment. The petitioner was served with a charge memo dated 27.01.2009 charging that he had unauthorizedly absented himself from duty from 30.03.2008 to 24.01.2009. Thereafter, enquiry was conducted and vide order dated 05.09.2011, the petitioner was dismissed from service. Thereafter, the respondent filed petition for approval of the said dismissal order before the concerned Authority and the said petition was dismissed on 27.12.2012. Even thereafter, the petitioner was not reinstated in service. In this regard, the petitioner made representation dated 02.05.2013 to the respondent and since there was no action, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner sought adjournment.

4.Mr.C.S.K.Sathish, the learned counsel appearing for the respondent would submit that as against the dismissal of the approval petition, the respondent Corporation filed W.P.No.28033 of 2013 and the said writ petition was referred before the Lok Adalat held on 10.02.2018, in which, the parties arrived at a settlement and this Court issued direction to the respondent Corporation to allow the petitioner to work as a Driver in the respondent Corporation as a fresh entrant. Hence, nothing survives for adjudication in this writ petition.

5.Recording the submissions made by the learned counsel appearing for the respondent, this writ petition closed. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The General Manager
Tamil Nadu State Transport Corporation
(Villupuram)
Vellore District

W.P.No.27672 of 2013

SR II (CO)
SP(07/01/2021)

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