

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.02.2020
CORAM
THE HON'BLE MR.JUSTICE D. KRISHNAKUMAR
W.P.No. 42338 of 2016

J.Sekar

..Petitioner

Vs

The Managing Director,
Metropolitan Transport Corporation,
(Chennai Division) Limited,
Pallavan Illam, Chennai-600002.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 18.06.2015 and 20.11.2016 seeking continuity of service from 18.05.1989 to 30.11.2016 and pay protection and other other attendant benefits.

For Petitioner : M/s. S.Sethuraman

For Respondent : Mr.Chidambram

O R D E R

The prayer sought for in the Writ Petition is to direct the respondent to consider the petitioner's representation dated 18.06.2015 and 20.11.2016 seeking continuity of service from 18.05.1989 to 30.11.2016 and pay protection and other other attendant benefits.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents and perused the documents available on record.

3. According to the learned counsel for the petitioner, the petitioner had joined the services of the respondent corporation as a Conductor in the year 1989 and due to his ill health, as per opinion of the Medical Board and his request, he was given employment as Helper non -ITI as fresh entrant. In the said post, he was fixed lower time scale of pay than the earlier post. Aggrieved over the same, he had approached this Court by way of writ petition and writ appeal. He has also made representations dated 18.06.2015 and 20.11.2016 to the respondent seeking continuity of service from 18.05.1989 to 30.11.2016 and his pay protection and other attendant benefits.

However, the said representations are still pending before the respondent without consideration. Hence the present writ petition.

4. On the other hand, the learned Standing Counsel appearing for the respondent submitted that the writ petitioner has now retired from service on superannuation and his representations are still pending.

5. Having regard to the submissions made by the counsels on either side and without expressing any of the views and without going into the merits of the case, this Court directs the respondent corporation to consider the representations dated 18.06.2015 and 20.11.2016 submitted by the petitioner and pass orders on merits, in accordance with law within a period of twelve weeks from the date of receipt of a copy of this Order.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

The Managing Director,
Metropolitan Transport Corporation,
(Chennai Division) Limited,
Pallavan Illam, Chennai- 600002

+lcc to Mr.S.Sethuraman , Advocate SR.No. 8817

+lcc to Mr.M.Chidambaram , Advocate SR.No. 8957

A.SK(05/03/2020)

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