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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2021

CORAM

THE HON'BLE MR. JUSTICE S.S.SUNDAR

W.P.No. 12791 of 2021

S, Purushothaman

..Petitioner

Vs

1.Government of Tamil Nadu
Represented by Principal Secretary,
Transport Department,
Fort St. George,
Chennai - 600 009.

2.The Managing Director,
Metropolitan Transport Corporation,
Chennai - 600 002.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, direct the respondents to assign the petitioner the post of Time Keeper in anyone of the depots of the 2nd respondent Corporation considering the ill health of the petitioner and also to direct the respondents to treat the break up periods between 2016 to 2020 as duty period to enable the petitioner to count the services for pension purpose considering the representation of the petitioner dated 06.02.2021.

For Petitioner : Mr.S.Sadasharam

For R1 : Mr.C.Kathiravan

O R D E R

The prayer sought for herein in this writ petition is for issuance of a Writ of Mandamus, directing the respondents to assign the petitioner the post of Time Keeper in anyone of the depots of the 2nd respondent/Transport Corporation considering the ill health of the petitioner and also to direct the respondents to treat the break up periods between 2016-2020 as duty period to enable the petitioner to count the services for pension purpose considering the representation of the petitioner dated 06.02.2021.



2. The petitioner was employed as driver in the Second Respondent/Corporation on 04.11.1993 and later, he was appointed as driver on a regular basis with effect from 09.05.2007. It is the case of the petitioner that he had suffered heart ailments and was found unfit for the post of driver as per the proceedings of the Medical Board. Based on the report submitted by the Medical Board, the petitioner wanted assignment of light work. Though the petitioner was assigned the work of the post of Time Keeper for some time, there was no continuity. It is in the said circumstances, the petitioner made a representation to assign the Time Keeper post or any other light work in the Second Respondent/Corporation. However, the representation of the petitioner dated 06.02.2021 is not yet considered. Hence, the present Writ Petition is filed.

3. The learned counsel for the petitioner submitted that the petitioner will be satisfied if this Court issues a direction to the respondents to consider the petitioner's representation dated 06.02.2021 within a stipulated time frame.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representation dated 06.02.2021 and pass appropriate orders, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

msm

To

1. Government of Tamil Nadu
Represented by Principal Secretary,
Transport Department,
Fort St. George,
Chennai - 600 009.



2.The Managing Director,
Metropolitan Transport Corporation,
Chennai - 600 002.

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+1cc to Mr.S.Sadasharam, Advocate, S.R.No.28111

+1cc to the Government Pleader, S.R.No.28443

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GPL (CO)
HS (14/07/2021)