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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. No.21551 of 2021
(Through Video Conferencing)

S.Rajasekaran

... Petitioner

Vs

1.The State of Tamil Nadu,
Represented by its Additional Chief
Secretary to Government,
Transport Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Managing Director,
State Express Transport Corporation
(Tamil Nadu) Limited,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

3.The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pass appropriate orders complying with the directions issued by the Government in Letter No.1454/D-1/2018-2, Transport (D1) Department dated 18.05.2018 for accounting the regular service rendered by the petitioner from 15.02.1985 to 30.06.1988 (3 years 4 months 16 days) and to confer the consequential benefits in the light of the orders passed by the Division Bench of this Hon'ble Court in W.P.No.2273/2018 dated 02.02.2018 and W.A.No.1014/2018



dated 29.07.2019 and in terms of Rule-37 of the Common Service Rules for Managerial Cadre taking into consideration of the petitioner's representations including the one dated 04.08.2021 with all consequential and other attendant benefits along with interest.

For Petitioner : Mr.S.Udaya Kumar

For Respondents :

For R1 : Mr.V.P.R.Elamparithi
Government Advocate

For R2 : Mr.L.S.M.Hasan Fizal
Government Advocate

For R3 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

Though the petitioner has sought for a wider relief in this writ petition, considering the fact that the petitioner's various representations starting from the year 2016 have not received proper attention of the respondents, this writ petition is disposed by directing the first and second respondents to consider the representations of the petitioner and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order in accordance with law and on merits.

2. While passing appropriate orders, the first and second respondents shall factor the order of the Hon'ble Division Bench of this Court dated 29.07.2019 in W.A.No.1014 of 2018.

3. In case, the ratio and decision of the Hon'ble Division Bench of this Court in the aforesaid case applies to the petitioner's case, the same may be extended within the aforesaid period in the light of the letter dated 27.05.2016 of the Additional Chief Secretary to Government first respondent to the Managing Director, Tamil Nadu State Transport Corporation second respondent wherein, it has been clarified that the Government had accepted the proposal for counting the past period of service rendered by one M.Perumalsamy in the erstwhile M/s.Cheran



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Transport Corporation Limited, Coimbatore which was later merged with the Tamil Nadu State Transport Corporation Limited, Coimbatore for the period between 03.11.1986 to 03.08.1993. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

arb

To

- 1.The Additional Chief Secretary,
Government of Tamil Nadu,
Transport Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The Managing Director,
State Express Transport Corporation
(Tamil Nadu) Limited,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.
- 3.The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

+1cc to Mr.S.Udayakumar, Advocate, S.R.No.52481

+1cc to the Government Pleader, S.R.No.53215

W.P. No.21551 of 2021

PMK(CO)
SB(01/11/2021)