



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.10290 of 2021

and

W.M.P (MD) No.7975 of 2021

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N.Sivasaravanan

... Petitioner

Vs.

The Commissioner,
Karur Municipality,
Karur.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to permit the petitioner to continue the work at Tholirpettai Over Head Tank Operator by considering the petitioner's representation, dated 15.06.2021 within a time fixed by this Court.

For Petitioner : Mr.P.Prakash

For Respondent : Mr.J.Senthilkumariah

ORDER

The petitioner has filed this writ petition for a direction to the respondent to permit the petitioner to continue the work at Tholirpettai Over Head Tank Operator, by considering the petitioner's representation, dated 15.06.2021 within a time frame to be fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and perused the materials available on record.

3. According to the petitioner, he is working as Over Head Tank Operator at Tholirpettai in the respondent Municipality. While so, he was affected with COVID-19 and has taken treatment at private Hospital in Coimbatore. As per the advise of the Doctor, the respondent Municipality has given one month Medical Leave for quarantine himself. While so, on 12.06.2021, the Assistant Engineer of the respondent Municipality informed the petitioner that as per oral instruction of the respondent, he has permanently transferred to Kattalai Over Head Tank Operator from the Tholirpettai Over Head Tank. Hence, the petitioner has sent representation, dated 15.06.2021, but, the same was not considered. Hence, the petitioner has come out with the present



4. The learned counsel appearing for the petitioner submitted that after completion of Medical Leave, the petitioner went to join duty today (18.06.2021), but he was not permitted to work as Over Head Tank Operator at Tholirpettai.

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5. Considering the above facts, without deciding the issues on merits, this Court directs the respondent to consider the representation of the petitioner, dated 15.06.2021 and pass orders on merits and in accordance with law within a period of two weeks. Till such time, the respondent is directed to permit the petitioner to work as Over Head Tank Operator at Tholirpettai.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To
The Commissioner,
Karur Municipality,
Karur.

+1 CC to MR.P.PRAKASH, Advocate (SR-19566[F] dated 18/06/2021)

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