



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2021

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.13514 of 2021

WEB COPY

A.L.Alagappan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
No.27, New Railway Station Road,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
Karaikudi Region,
Maruthapathi Managiri Post,
Karaikudi,.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to take 16.02.2004 to 30.05.2004 as a working day and disburse salary for 104 days.

For Petitioner : Mr.Gokul.K

For Respondents : Mr.D.Sivaraman,
Standing Counsel.

ORDER

Mr.D.Sivaraman, learned Standing Counsel takes notice on behalf of the respondents.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he joined as Junior Tradesman in the respondents Corporation on 05.03.1986. Thereafter, he was promoted as Special Grade Tradesman. After completing 32 years, he gave voluntarily retirement from service on 30.04.2019, due to his



old alimments. When he was in service, the respondents Corporation initiated disciplinary proceedings from 16.02.2004 to 30.05.2004, in which earn leave and medical leave was cancelled. Thereafter, by order dated 27.10.2015, the respondents ratified that the day on which he absent for duty from 16.04.2004 to 30.05.2004, shall be treated as eligible leave. Hence, the petitioner made a representation on 03.04.2021, requesting the respondents to treat the period from 16.04.2004 to 30.05.2004 as eligible leave and disburse the salary for the said 104 days. However, till date, the respondents have not passed any order on the said representation. Hence, the petitioner has come out with the present Writ Petition.

4. Considering the facts and circumstances of the case and without expressing any opinion on the merits of the matter, this Court directs the second respondent to consider the petitioner's representation dated 03.04.2021 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to enclose the copy of the representation dated 03.04.2021 to the second respondent along with a copy of this order.

6. This Writ Petition is disposed of accordingly. No costs.

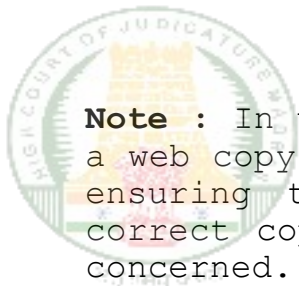
Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

WEB COPY

To:

1. The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
No.27, New Railway Station Road,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
Karaikudi Region,
Maruthapathi Managiri Post,
Karaikudi.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-25316[F] dated 05/08/2021)

W.P(MD)No.13514 of 2021

05.08.2021

GC (13/08/2021) 3P 4C