



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.14476 of 2021

A.Rajkumar

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Express Transport Corporation,
Pallavan Salai, Chennai.

2.The Branch Manger,
Tamil Nadu State Express Transport Corporation,
Trichy Branch, Trichy Depot,
Trichy.

... 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 consider the representation of the petitioner dated 24.07.2021 submitted in person for the disbursement of salary arrears due to the tune of Rs.97,000/- within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.R.Rajamohan,
Standing Counsel.

ORDER

Mr.R.Rajamohan, learned Standing Counsel takes notice on behalf of the respondents.

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

3. The case of the petitioner is that he is working as Driver cum Conductor in the respondents transport Corporation. The Government of Tamil Nadu, on instruction of Government of India, has declared lock down throughout the Tamil Nadu owing to COVID-19 pandemic from March 2020 to October 2020 and in the said period, the busses belonging to the respondents corporation were stopped and thereby the Government had directed the respondents to treat the said period as working period and disburse the salary to the employees. Therefore, the petitioner is entitled for salary from November 2020 to February 2021. However, the respondents has not disbursed the salary to the petitioner for the above said period treating the said period as absent. Hence, the petitioner has submitted an application on 24.07.2021, requesting to disburse the salary. However, till date the same was not considered by the respondents. Hence, the present petition has been filed.



4. The learned Sanding Counsel appearing for the respondents submitted that the said fact are not correct. But, however, the representation of the petitioner will be considered and appropriate orders will be passed.

5. Considering the limited scope of the prayer sought for the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the petitioner's representation dated 24.07.2021, on its own merits and in accordance with law, as expeditiously as possible, preferably, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to send a copy of the representation dated 24.07.2021, to the respondents along with the copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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:

1.The General Manager,
Tamil Nadu State Express Transport Corporation,
Pallavan Salai, Chennai.

2.The Branch Manger,
Tamil Nadu State Express Transport Corporation,
Trichy Branch, Trichy Depot, Trichy.

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-26456[F] dated 16/08/2021)
+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-26459[F] dated
16/08/2021)

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