



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No. 17842 of 2021

WEB COPY

K.Chandran

... Petitioner

Vs.

1.The Special Deputy Commissioner of Labour,
O/o. Commissioner of Labour,
Chennai - 600 006.

2.The General Manager,
Tamil Nadu State Transport Corporation
Madurai Ltd.,
Dindigul Region,
Bye Pass Road, Collectorate Road,
Dindigul - 624 004.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent to take necessary action on the basis of the petitioner's representation dated 09.02.201 with regard to pay the pension and other attendant benefits as per law to the petitioner within a time stipulated by this Court.

For Petitioner : Mr.D.Anbarasu

For Respondents : Mr.S.Shanmugavel,
Standing Counsel for State for R1.
Mr.J.Senthil Kumariah,
Standing Counsel for R2

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the 2nd respondent to take necessary action on the basis of the petitioner's representation dated 09.02.201 with regard to pay the pension and other attendant benefits as per law to the petitioner within a time stipulated by this Court.

2. According to the petitioner, the petitioner was working in the second respondent corporation and on 05.03.2011, he was issued a charge memo. Thereafter, he was suspended from service on 15.11.2011. The second respondent Corporation filed an approval petition before the first respondent under Section 33 (2) (b) of the Industrial Disputes Act, 1947, requesting approval for dismissing



the petitioner from service. After hearing the parties, the first respondent has refused to grant approval for dismissing the petitioner from service. Thereafter, the second respondent Corporation has not allowed the petitioner to work in its Corporation. Therefore, he made a representation on 17.03.2014 to the second respondent, requesting to provide job. However, no order has been passed on the said representation. The petitioner further made a representation on 09.02.2021, seeking to pay the pension and other attendant benefits in accordance with law. So far no order has been passed on the said representation. Hence, the petitioner has filed this Writ Petition.

3. The learned Standing Counsel appearing for the second respondent would submit that the representation of the petitioner dated 09.02.2021 will be considered and appropriate orders will be passed in accordance with law.

4. In view of the above submissions made by the learned Standing Counsel appearing for the second respondent, this Court, without expressing any opinion on merits, directs the second respondent to consider the representation of the petitioner dated 09.02.2021 on its own merits and in accordance with law and pass order as expeditiously as possible preferably within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed. No costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2021

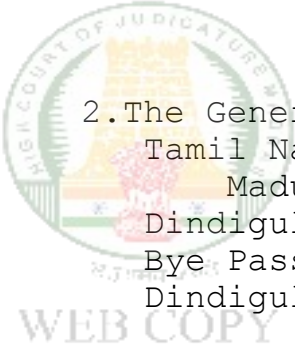
Sub Assistant Registrar(CS)

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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

1.The Special Deputy Commissioner of Labour,
O/o. Commissioner of Labour,
Chennai - 600 006.



2.The General Manager,
Tamil Nadu State Transport Corporation
Madurai Ltd.,
Dindigul Region,
Bye Pass Road, Collectorate Road,
Dindigul - 624 004.

+1 CC to M/s.SPL.GP (SR-30854[F] dated 01/10/2021)

+1 CC to M/s.D.ANBARASU, Advocate (SR-30740[F] dated 30/09/2021)

W.P. (MD) .No.17842 of 2021
30.09.2021

RD(12.10.2021) 3P 5C