



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P (MD) No.18093 of 2021

and W.M.P. (MD) No.14929 of 2021

WEB COPY

Louis Ilamaran

... Petitioner

Vs.

1.The Management of
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Rep. By its Managing Director,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi - 630 307.

3.The Branch Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi - 630 307.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondents to allow the petitioner to work in the third respondent for protecting his livelihood and treat the period from 01.05.2020 to allow the date of work by the respondents as the petitioner's service period for all purpose and pay wages for the same period based on the petitioner's representations on 02.10.2020, and consequently, the representation on 24.09.2021, within a stipulated time fixed by this Court.

For Petitioner : Mr.R.Senthilkumar

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

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to allow the petitioner to work in the third respondent's office for protecting his livelihood and treat the period from 01.05.2020 to allow the date of work by the respondents as the petitioner's service period for all purpose and pay wages for the same period based on the



petitioner's representation on 02.10.2020, and consequently, the representation on 24.09.2021, within a stipulated time fixed by this Court.

2. According to the petitioner, he is working as Driver 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. At the same time, the respondents Corporation had strictly instructed to their staffs that if anyone is affected by symptoms of corona, they should not attend the duty. Since the petitioner was affected by cough with cold from 25.05.2021, he had taken treatment and quarantined in his house. Hence, he could not attend the duty from 01.06.2020 to 06.06.2020. Thereafter, on 07.06.2020, when he attend duty in the third respondent corporation, they had failed to give duty in the office. The grievance of the petitioner is that the respondents have not allowed him to work and also not disbursed the salary for the past 14 months. Hence, the petitioner made a representation on 02.10.2020, seeking to allow him to work in the third respondent office and to disburse the salary. Since the same was not considered, the petitioner made another representation on 24.09.2021. However, the respondents have failed to do so. Hence, the petitioner has filed this Writ Petition.

3. The learned Standing Counsel appearing for the respondents Corporation would submit that disciplinary proceedings has been initiated as against the petitioner, but, however, the representation of the petitioner will be considered and appropriate orders will be passed.

4. Considering the submissions made on either side, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the petitioner's representation dated 02.10.2020, and pass orders as expeditiously as possible, without prejudice to the rights of the petitioner.

5. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// 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.

To

- 1.The Managing Director,
Management of
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam - 612 001.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi - 630 307.
- 3.The Branch Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
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Karaikudi - 630 307.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-31262[F] dated 05/10/2021)

W.P (MD) No.18093 of 2021
05.10.2021

RK (01/11/2021) 3P 5C