



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.10.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.18305 of 2021

WEB COPY

Balakrishnan

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation,
(Kumbakonam Ltd),
Kumbakonam,
Thanjavur District.

2.The General Manager,
Tamilnadu State Transport Corporation,
(Kumbakonam Ltd),
Trichy Division,
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 grant permanent status confirmation order and arrears of salary from July 2016 to the petitioner as per 12(3) Settlement of Industrial Disputes Act 1947 on the basis of the petitioner's representation dated 17.10.2019 respectively within a fixed time limit as stipulated by this Court and pass such further or other orders.

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

ORDER

This Petition is filed for the issuance of a Writ of Mandamus, directing the Respondents to grant permanent status by passing an order of confirmation of his service and pay arrears of salary from July 2016 to the petitioner as per 12(3) of the Industrial Disputes Act, 1947 on the basis of the petitioner's representation dated 17.10.2019 within a fixed time limit as stipulated by this Court.

2.According to the petitioner, the petitioner has made a representation on 17.10.2019 with regard to permanent status by confirming his services and to pay arrears of salary as per Section 12(3) of the Industrial Dispute Act, 1947. The said representation is still pending and no orders have been passed.



3.The Learned Standing Counsel appearing for the respondents, would submit that, if the petitioner has completed more than 240 days from the date of joining service and satisfy other conditions, the respondents will consider the said representation and pass appropriate orders.

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4.In view of the submissions made by the counsel for the parties concerned, without expressing any opinion on merits, this Court is inclined to direct the second respondent to consider the petitioner's representation dated 17.10.2019 on its own merits and in accordance with law and pass order as expeditiously as possible within a period of twelve weeks from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of with the above directions.
No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

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,
Tamilnadu State Transport Corporation,
(Kumbakonam Ltd),
Kumbakonam,
Thanjavur District.

2.The General Manager,
Tamilnadu State Transport Corporation,
(Kumbakonam Ltd),
Trichy Division,
Trichy.

+1 CC to M/s.D.ANBARASU, Advocate (SR-31643[F] dated 07/10/2021)
+1 CC to M/s.D.SIVARAMAN, Advocate (SR-31614[F] dated 07/10/2021)

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SR (CO)

RS (28.10.2021) 2P 5C

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