



W.P.(MD)No.5107 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.5107 of 2020

Karunaicheliyan,

... Petitioner

Vs.

1. The General Manager,

Tamil Nadu State Express Transport Corporation,
Pallavansalai,
Chennai.

2. The Branch Manager,

Tamil Nadu State Express Transport Corporation, (Depo),
Subramaniyapuram – Post,
Tiruchirappalli – 20.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus, directing the 2nd Respondent



W.P.(MD)No.5107 of 2020

WEB COPY

herein to pay current wages/salary to the Petitioner by considering the continuity of service of the award in I.D.No.90/2010 passed by the Labour Court, Trichy.

For Petitioner : Mr. S.M.Mohan Gandhi
For R1 & R2 : Mr. R.Rajamohan

ORDER

This writ petition has been filed to direct the second Respondent to pay current wages/salary to the Petitioner by considering the continuity of service of the award in I.D.No.90/2010 passed by the Labour Court, Trichy.

2. The learned counsel for the petitioner submitted that the petitioner joined as a Computer Operator in the second respondent office. Due to illness he has admitted in the hospital on 28.08.2008 and recovered on 28.09.2008. After that, the petitioner went for work, however, the second respondent did not allow him to join duty and thereafter, the petitioner filed



W.P.(MD)No.5107 of 2020

WEB COPY

na Industrial Dispute petition before the Labour Court in I.D.No.90 of 2010 claiming reinstatement into service with continuity of service with all other benefits and the same was allowed on 09.09.2014. Against which, the respondent management has preferred a writ petition before this Court in W.P.(MD) No.1241 of 2015 and this Court by order, dated 28.08.2019, dismissed the same. Thereafter, the petitioner has reinstated into service on 18.01.2018. However, the respondent has paid a meagre salary to the petitioner instead of current salary. Hence the petitioner made a representation, dated 27.11.2019 and the same was not considered till date. Hence, the present writ petition is filed.

3. The learned counsel for the petitioner would submit that this Court may issue a direction to the respondents to dispose of the petitioner's representation in terms of the I.D.No.90 of 2010 within the time limit.

4. Considering the facts and circumstances of the case, this Court directs the respondents to consider the petitioner's representation, dated 27.11.2019 and pass appropriate orders on merits and in accordance with



W.P.(MD)No.5107 of 2020

WEB COPY

law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

12.12.2022

Index : Yes / No

Speaking Order : Yes / No

RM



W.P.(MD)No.5107 of 2020

To
WEB COPY

1. The General Manager,
Tamil Nadu State Express Transport Corporation,
Pallavansalai, Chennai.
2. The Branch Manager,
Tamil Nadu State Express Transport Corporation, (Depo),
Subramaniyapuram – Post,
Tiruchirappalli – 20.



WEB COPY



W.P.(MD)No.5107 of 2020

M.DHANDAPANI,J.

RM

W.P.(MD)No.5107 of 2020

12.12.2022