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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 11204 of 2023
and
W.M.P. No. 11068 of 2023

V.M.Velu … Petitioner

-vs-

The Management,
Tamil Nadu State Transport Corporation Villupuram Ltd.,
Kancheepuram Region,
Ponnerikarai, Bangalore National Highway,
Kancheepuram. ... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondent to pay the revised basic pay by giving notional effect to the pay as on 01.12.1997 (date of appointment) the wage settlements accorded till date after taking note of the employee is entitled to re-instatement with the benefits of continuity of service and consequential benefits and consequently to pay the arrears of the back wages from 1st January 2022 in view of the order passed by this Court in W.A. No. 1233 of 2021 dated 31.03.2022 within a time limit.

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For Petitioner : Mr. V.S.Jagadeesan

For Respondent : Mr. R.Venkatesa Perumal,
Standing Counsel

O R D E R

Heard Mr.V.S.Jagadeesan, Learned Counsel for the Petitioner and Mr. R.Venkatesa Perumal, Learned Standing Counsel, who takes notice for the Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. Though the Writ Petition has been filed for directing the Respondent to pay the revised basic pay to the Petitioner by giving notional effect to the pay as on 01.12.1997 (date of appointment) the wage settlements accorded till date after taking note of the fact that he is entitled to reinstatement with the benefits of continuity of service and consequential benefits and to consequently pay the arrears of the back wages from 01.01.2022 in view of the order dated 31.03.2022 in W.A. No. 1233 of 2021 passed by the Division Bench of the Court, Learned Counsel for the Petitioner submits that the Petitioner would be satisfied, if the representation dated 20.03.2023 made by him in that regard is directed to be disposed by the concerned authority within the time limit that may be fixed by the Court.

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3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

(i) the concerned authority shall immediately examine the representation dated 20.03.2023 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;

(ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;

(iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard;

(iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;

(v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and

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(vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

12.04.2023

kv

Index: Yes/No
Neutral Citation: Yes/No

Note: Issue order copy by 02.06.2023.

To

The Management,
Tamil Nadu State Transport Corporation Villupuram Ltd.,
Kancheepuram Region,
Ponnerikarai, Bangalore National Highway,
Kancheepuram.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai.

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P.D. AUDIKESAVALU, J.

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